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Illinois Issues

A publication of the University of Illinois at Springfield

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ANSWERS ON
PAGE 6

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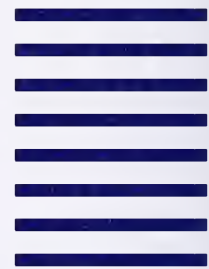
Yet here is a sampling of pronounce-

man, the stereotyped fraud, the sham, the hypocrite, the merciless marauder, and the outlaw renegade and malefactor," Richard J. Carwardine wrote in the *Journal of the Abraham Lincoln Association*. And not to be outdone, according to Erin Carlson Mast, curator of Lincoln's Cottage in Washington, D.C., Democrats of the time wailed in another newspaper that

day when the Dow Jones Industrial Average dropped 500 points, his campaign sent a fundraising letter to supporters pointing out McCain's associations with Charles Keating, who was jailed after the savings and loan crisis of the late 1980s. Of course, McCain was pointing his fingers at Obama's connection to 1960s radical Bill Ayers, a founder of the Weather



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Dana Heupel



Negative campaigning makes it hard to put faith in either candidate

by Dana Heupel

Not long ago, I was complaining to a friend and colleague about a previous political campaign. "Why does it have to be so incredibly negative?" I grumbled. His simple reply: "It works."

My friend, one of the better-known political writers in the state, is a pragmatist. He wasn't endorsing the tactic; just stating a fact.

Well, it doesn't work for me. After months of following the backs-and-forths of this year's presidential campaign like a political tennis match, I am so sick of the negativity — from both camps — that I'm ready to check "None of the above" on the ballot.

These are serious times. We are struggling in a worldwide economic crisis. We are embroiled in a war that we can't seem to extricate ourselves from. Millions of us cannot afford health care. Many Americans have lost their homes and a good portion of their retirement savings. The country has lost credibility around the world. Our public educational system is a shambles, and our higher education system is becoming too costly for many families to afford.

Yet here is a sampling of pronounce-

ments from our would-be leaders: Barack Obama is risky and has past ties to a domestic terrorist; John McCain is erratic and has past ties to the man who was responsible for a savings-and-loan crisis. Obama voted against supporting our troops; McCain voted to slog into this quagmire of a war. Obama will raise everyone's taxes; McCain will provide more tax breaks to the wealthy. And on and on and on it goes.

When it's said and done, it's hard to have any faith in either of them.

I know, political mudslinging is a time-honored tradition in America. Republicans in the 1860 election editorialized in a newspaper that Democrats engendered a "rendezvous of thieves, the home of parasites and bloodsuckers, the enemy of God and man, the stereotyped fraud, the sham, the hypocrite, the merciless marauder, and the outlaw renegade and malefactor," Richard J. Carwardine wrote in the *Journal of the Abraham Lincoln Association*. And not to be outdone, according to Erin Carlson Mast, curator of Lincoln's Cottage in Washington, D.C., Democrats of the time wailed in another newspaper that

"Old Abe's extreme ugliness has been remarked by all who have seen him or his picture. ... [Lincoln] was advised to go to Illinois, where his ugliness might be turned to good account in scaring away the wolves."

It's hard to top that rhetoric. But McCain and Obama have both done their best.

True, McCain led the charge as polls showed his support dwindling. A study by the University of Wisconsin found that nearly 100 percent of his advertising in early October was negative, compared with 34 percent for Obama. Throughout the entire election cycle, the study determined that 73 percent of McCain's ads and 61 percent of Obama's were considered negative.

But Obama has held his own. Shortly before the second debate, on a day when the Dow Jones Industrial Average dropped 500 points, his campaign sent a fundraising letter to supporters pointing out McCain's associations with Charles Keating, who was jailed after the savings and loan crisis of the late 1980s. Of course, McCain was pointing his fingers at Obama's connection to 1960s radical Bill Ayers, a founder of the Weather

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Underground, which claimed responsibility for bombings at the Pentagon and U.S. Capitol.

To my mind, the bickering between the two political camps while the world was spinning toward an economic calamity only served to illustrate how small both men were. Perhaps they began to realize it, as well. By midmonth, the rhetoric had calmed somewhat, as polls indicated the over-the-top negative tone wasn't playing well with voters.

U.S. Rep. Ray LaHood, a Republican from Peoria, has long led the call for civility in Congress. "Something has gone awry," he told political columnist David Broder in 1996. While congressional leaders from opposing parties used to have drinks together after a heated debate, he said, they now barely spoke. And in 2005, he recalled to the *Washington Post* that immediately after 9/11, the two opposing parties finally were pulling together. "We were on the high road then," he said, "but now, I think we've hit an all-time low."

Some negative issues are certainly fair game. It's entirely proper for Obama to point out that McCain supported the Iraq invasion, while he opposed it. McCain should observe that Obama opposed the troop surge while he supported it. Those are legitimate issues and truthfully conveyed.

However, parsing specific votes on legislation without providing context — such as McCain contending that Obama voted to cut off funding for troops in Iraq, or Obama trumpeting that McCain supports cuts in education spending and weaker school performance standards — falls somewhere between recklessly misleading voters and blatantly lying to them.

Both charges do contain an element of truth. Obama indeed voted against a funding bill for Iraq, but he voted for another bill that included money for the war effort along with a timeline for withdrawal. McCain did vote once for a 1 percent cut in the education budget, according to the *St. Petersburg Times/Congressional*

Quarterly fact-checking column, but he has been a longtime advocate of other education funding increases. And he did oppose a bill to impose stricter educational standards, not because he's against accountability, but because he sees it as a function of the state — not the federal — government.

Anyone who has followed legislation in the Illinois General Assembly for any length of time knows that few votes express clear-cut positions. Palatable bills are often served up with distasteful side dishes, or frequently, lawmakers vote against a specific bill because they support another one that accomplishes the same goal.

Political humor — however negative — also is a time-honored tradition, and so long as it skewers both sides, it's an arguably healthy pastime. God knows we need to laugh at our leaders on occasion. Even the most partisan among us have to surrender at least a chuckle over Tina Fey's dead-on impression of Sarah Palin or Amy Poehler's characterization of Hillary Clinton on *Saturday Night Live*. Comedians and humorists such as Chevy Chase and Will Rogers, along with countless political cartoonists, have smashed political pumpkins for centuries.

Not so funny, though, are the damaging innuendos and unspoken insinuations by the candidates or their supporters. There are some who remain convinced that Obama is a revolutionary Muslim or that McCain is a reckless, trigger-happy eccentric. And the issues of race and age play out behind the curtain while the political actors read their tightly crafted lines on stage.

At times during this campaign, it has been unnerving to see crowds at political events whipped into a fury over some negative characterization of their candidate's opponent. Those kinds of hysterics could lead to an event that nobody wants to happen. And that kind of rage is not soon forgotten, no matter who wins.

Dana Heupel can be reached at heupel.dana@uis.edu.

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Credits: The issue was designed by Patty Sullivan. The rendering of a proposed Olympic stadium on the cover comes to us courtesy of Chicago 2016.

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Bethany Jaeger



Customers have a new option for electricity if they understand and trust the 'new middleman'

by Bethany Jaeger

Two government employees ate lunch at Joe's Place in rural Fulton County nearly two years ago. Their conversation spurred what is now the first-of-its kind option for Illinois electricity customers, a direct result of the state's recently deregulated power industry.

A nonprofit electric cooperative that started in downstate Greenville wants to offer choice and potential savings to customers now served by Ameren Illinois utilities. But New Illinois Cooperative Energy, called NICE, is unlike other cooperatives in that it does not supply power. It simply creates a pool of customers and connects them to a designated power supplier.

The partnership is so new that it is debatable how or whether to regulate it and whether it will actually save customers money.

It's a matter of which comes first, the chicken or the egg?

"Until we get the customers, we can't buy the power. Until we buy the power, we can't get the price," says Alan Libbra, president of NICE's parent company, Greenville-based Southwestern Electric Cooperative. "We're not going to cut your bill in half, I can guarantee that."

NICE has a target price in mind, according to Kerry Sloan, president of the co-op and chief executive officer of the parent company. But he won't reveal that price because it could change week by week, month by month.

The new cooperative is a nonprofit entering a gray area of state regulations. It is partnering with a power supplier that must follow state rules, but [it] so far is exempt from such oversight.

"It would be misleading to people," he says. "We don't play that way."

Customers would start receiving electricity early next year, but the option isn't available to consumers who already get power from municipally owned utilities or from other electric cooperatives.

It'll take a risk to sign up. The new cooperative is a nonprofit entering a gray area of state regulations. It is partnering with a power supplier that must follow state rules, but NICE so far is exempt from such oversight. It's up to consumers to do their homework.

Industry insiders say they hope NICE's plan works and that, at least, it shows a demand for competition in the retail electric market that has been dominated by two utilities, Commonwealth Edison in the northern part of the state and Ameren Illinois downstate.

After a 10-year electricity rate freeze expired in 2007, lawmakers revamped the way Ameren and ComEd buy their power loads. Most customers saw their bills increase, particularly residents who heated their homes only with electricity. State Sen. David Koehler, a Peoria Democrat, recalls an all-electric high-rise building for seniors that saw its bill skyrocket from \$20,000 a month to \$44,000.

Koehler was part of the lunch at Joe's Place more than a year and a half ago. The other diner was Joe Berardi. They pondered the effect of the expired rate freeze and saw a door open for competition.

"We just talked about maybe we should take an approach of doing something like a not-for-profit, much like a credit union, where you'd have members as owners of this thing and that you could try to pass on savings," Koehler says, "and get electricity on the wholesale market and make it available to residential [customers]."

They established NICE as a nonprofit corporation, the only way Koehler says he would join the effort. They needed a partner with enough credit to buy lots of power, so they became a wholly owned subsidiary of the Southwestern Electric Cooperative Inc., or SWECI. They set out to find an energy supplier and landed on Integrys Energy Services based in Green Bay, Wis. It is a subsidiary of the former Peoples Energy Corp. of Chicago and WPS Resources Corp. of Wisconsin.

Integrus is an "alternative electric supplier," basically offering a choice to ComEd customers. Integrus differs from the handful of other alternative suppliers in Illinois because of its new kind of partnership with NICE.

The cooperative goes out and finds the customers, and Integrus becomes the sole power supplier to those members.

"We think we can get a bunch of people to join forces together to buy their power cheaper than what they can individually," Sloan says.

Because NICE's contract with Integrus allows the supplier to buy power on a month-to-month basis, the price will ebb and flow with the marketplace. Under the contract, Integrus has more freedom to buy when the price dips, compared with the state-regulated utilities that procure power for an entire year at one time.

The contract also allows Integrus to collect a fixed fee per customer, so it will earn the same amount regardless of whether the price of electricity is high or low that month. "It's a very, very low fee compared to what anyone else charges," Sloan says, adding the fee amount is proprietary.

He is quick to point out, however, that NICE cannot guarantee savings.

Customers probably will save money in some months but not others, but the co-op also is offering such other benefits as discounted prescription drugs.

Buying medications in bulk, however, differs from buying electricity, which is a more volatile commodity.

Jon Casadont, senior vice president and general counsel for Chicago-based BlueStar Energy Services, says: "In our mind, it's really not about volume. It's about timing."

BlueStar is an alternative electric supplier, so it competes with Integrus but not NICE. Casadont says while BlueStar hopes NICE can be successful in competing with Ameren Illinois, NICE's plan to aggregate customers may not be the key to saving money for consumers. The key could be the way it procures power.

"Really, at the end of the day, the market always sets the price," Casadont says. "And it's whether you can take advantage of dips in the market. Again, nobody's smarter than the market."

And that is just one model of procuring power. A similar strategy already has

The concern is ensuring that the co-op has the financial and technical capabilities to live up to its promises. In the meantime, it's buyer beware.

been used in the industrial market, where companies have more predictable power needs.

"They have what is called a known load profile, which is not to say it won't work on the residential side," Casadont says. "It's just something different. It's not inherently good or inherently bad. It's just a model of trying to give people some alternative."

Beth Bosch, spokeswoman for the state's nonpartisan Illinois Commerce Commission, describes NICE as the new middleman. Similar partnerships have been formed in Texas and in other industries, but the partnership between NICE and its supplier is so new to Illinois that the state is still figuring out how the cooperative fits within the deregulated market for residential customers.

While the commission doesn't regulate the electricity rates for alternative electric suppliers, it does serve to protect customers from losing their power if NICE goes belly up.

The concern is ensuring that the co-op has the financial and technical capabilities to live up to its promises. In the meantime, it's buyer beware.

"It's a deregulated industry for electricity, so customers will be solicited," Bosch says. "They have been for telephone [service], and now customers are getting solicited for natural gas. The key is you want to be sure that the deal you get with them is a good deal for you, not just a switch. You have to examine the contract to make sure you know what's in it."

Members would sign a five-year contract with Integrus and could break away early for a \$75 fee. Service would be canceled at no charge if a resident moved.

Customers would receive their bills from Integrus and would see two charges: one for the kilowatt hours of energy used and one for a delivery charge to Ameren. That's because regardless of which

company buys or sells the power, it's still delivered on Ameren's power lines.

"We don't make any money at all on electricity, no matter who supplies it, period," says Leigh Morris, Ameren Illinois spokesman. "Ever."

In fact, he says Ameren encourages customers to explore their options and that competition is good.

NICE does hope to tap into disgruntled Ameren customers who are experiencing another delivery rate increase this year.

According to Libbra, the cooperative needs 7,000 customers to start up. It also is targeting such potential customers as labor unions and chambers of commerce in central Illinois. The founders hope eventually to offer natural gas and to expand statewide, but they're operating on a shoestring budget with only one paid employee. The rest are volunteers, consultants and attorneys.

"We have to walk before we can run," Sloan says. He adds that he's OK with being called a middleman, "but we're a middleman that's making no money."

Because it's a nonprofit, NICE needs only to recover its costs and to reserve some cash in the bank. Any excess would go back to members.

"We won't take a dime more than we need," Libbra says, adding he's a farmer who is passionate about offering choice, not a board member of a for-profit entity.

Guy Morgan is chief executive officer of BlueStar. He says his company simply wants NICE to clearly define its role so customers don't get the wrong impression when they hear the word "nonprofit."

"That presents an image of this altruistic entity doing essentially charitable work," he says. "And one certainly has the right to question whether that's true in this case or not."

He says his concern is that if NICE customers are misled and get a bad taste in their mouths, then that makes it harder for companies such as BlueStar to enter the market.

So far, everything seems above board, adds Casadont.

The question is whether consumers solicited by NICE will understand their options. Yet it will be hard for them to do their homework without a precedent and a price to go on. □

Bethany Jaeger can be reached at capitolbureau@aol.com.

BRIEFLY

AGRICULTURE Farming in the sky

It's an idea just close enough to the edge of crazy for some very sane people to take it seriously — use an urban skyscraper to grow food. A professor of public health at Columbia University in New York is proposing that cities grow fruits and vegetables in urban towers that would supply thousands of city dwellers with fresh, organic food.

Dickson Despommier, who will speak at a symposium at the University of Illinois at Chicago this month, is one of 12 innovators pushing current boundaries of science and technology who have been chosen by the Museum of Science and Industry for its new permanent exhibit, “Fast Forward ... Inventing the Future.”

His Vertical Farm Project would grow fish, fruits and vegetables in a high-rise using renewable energy and recycled water and nutrients. The museum display shows how Despommier's towers of food could feed a growing world population, estimated to reach 9 billion by 2050, 80

percent of whom will live in urban centers.

“It allows for a more ecologically based urban lifestyle,” says Despommier. “For me, I start with the food and water issues. Sustainable is a big word here. But if you can't make your own food and water, you're not sustainable. You're subject to the whims of nature.”

Vertical farming removes weather-related crop failures such as the spring and fall floods that erased two plantings from acres of Illinois farmland this season. Year-round production means more food can grow in a smaller space. Proponents estimate a crop of strawberries, for example, would use one indoor acre as opposed to 30 outdoor acres. And all food could be grown without herbicides, pesticides or fertilizers. Also among the advantages, fossil fuels for tractors, harvesters and trucks would be dramatically reduced.

Despommier says that politicians and corporations are starting to take note, but the most serious consideration is being given to the idea in places such as Dubai, South Korea and China.

However, in this country, Illinois — particularly

Illustrations by Blake Kurasek, courtesy of the University of Illinois at Urbana-Champaign



A skyscraper farm built on an oil-rig type platform would have a marina and a shipping dock for distribution of produce grown in the tower.

Chicago — is at the forefront of forward thinking, he says.

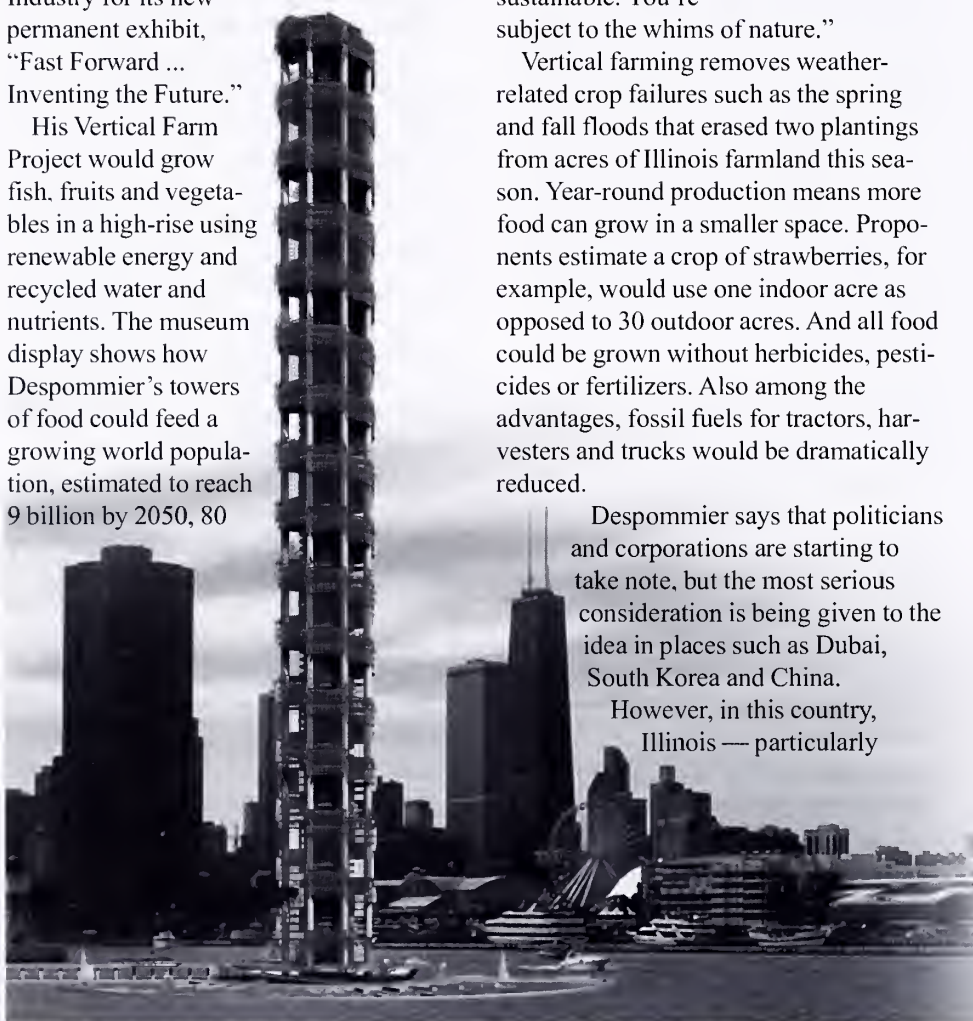
Despommier is the keynote speaker at UIC's Dean's Forum titled “World Food Crisis: Urban Solutions.”

Paul Brandt-Rauf, dean of the university's public health department, says big cities have populations that are usually not well-served by their surrounding communities in terms of the food that health professionals say is best. “We make it difficult for people, particularly low-income or underrepresented minorities, to have access to the kind of diet we say they should have — fresh fruits and vegetables, for example. They have plenty of access to the wrong foods, like fast foods.” Vertical farming, he says, is a way to provide access to healthier foods.

When food is grown closer to the people who consume it, Brandt-Rauf says, it also greatly reduces humankind's ecological footprint, providing a healthier world for everyone.

“It's sort of a no-brainer,” says Despommier. “When you think of living as a city, how much more dependence can you have on the outside than we already have? The answer is: Not much more before it reaches the breaking point.”

Beverley Scobell



About 1,000 people could live in this tower in apartments, interspersed with an area where an estimated 100 tons per month of fruits, vegetables and cash crops would grow. A Farmer's Market would be on the first floor.

FAMILYCARE Denied again

Gov. Rod Blagojevich's administration continues to enroll some families into a state-sponsored health insurance program after multiple court opinions and two legislative reviews intended to block the entire program.

The state's First District Appellate Court in Chicago affirmed an earlier decision that the FamilyCare Program fails to meet Medicaid eligibility requirements, lacks legislative authority and harms taxpayers as a result.

The opinion also highlights that the administration could not prove the amount of money collected through the health insurance premiums, where the money was kept or how much was left. It also couldn't confirm the number of families receiving Medicaid benefits through the FamilyCare Program.

In an e-mailed statement, Annie Thompson, spokeswoman for the Illinois Department of Healthcare and Family Services, said specific numbers would be available through a Freedom of Information Act request. "The department has always kept a record of enrollees and costs; that information was simply not immediately available for the emergency hearing."

She said in a phone conversation that the agency is reviewing the ruling and that since the injunction, it is now only enrolling families earning less than 133 percent of the federal poverty level, or about \$28,100 for a family of four. But the Associated Press reported that the agency informed pharmacists that they would not be reimbursed for prescriptions filled for people newly enrolled in the FamilyCare Program.

Blagojevich tried through the legislature and through his executive power to expand Medicaid benefits to middle-income families, as well, who previously did not qualify for Medicaid and who lacked private health insurance. Original cost estimates topped \$43 million for the first year.

The Joint Committee on Administrative Rules, a bipartisan legislative review panel, twice rejected the expansions, but the administration started enrolling families earning up to 400 percent of the federal poverty level, or \$83,000 for a family of four, anyway.

Richard Caro, a Riverside attorney, joined businessmen Ron Gidwitz and Greg Baise of the Illinois Coalition for Jobs, Growth, and Prosperity in a lawsuit to stop the state from administering the expansions. They argued that the state lacked federal and state authority to use federal dollars to expand Medicaid benefits to middle-income families.

"You can't spend money that you don't have, and you can't keep coming back to taxpayers and saying, 'Well, we've spent all this money without authorization. Tough luck, you have to pay for it anyway,'" Caro says.

The trial court ruled that the expansion would cause "irreparable and inadequate [harm] because it would be impracticable for the state to recoup the costs expended for the benefit of the FamilyCare Program."

It ruled that the program failed to meet eligibility requirements for Temporary Assistance for Needy Families, which is supposed to offer temporary state aid as parents transition into self-sufficiency.

"We find nothing temporary about the FamilyCare program," the trial court ruled.

The appellate court affirmed that decision and said if allowed to continue, the administration could expand Medicaid benefits to anyone at any income level. Such a decision, Judge Fitzgerald Smith continued, is for the legislature, not the executive branch, to decide.

The Blagojevich administration could appeal the ruling to the Illinois Supreme Court.

Bethany Jaeger

New pilot program aims to collect discarded drugs

The Illinois Environmental Protection Agency hosted a pharmaceutical summit and conference at the University of Illinois at Springfield in early October to announce a pilot program to collect and dispose of prescription drugs.

The Illinois EPA has established a program with local pharmacies and police throughout the state to educate the public about proper prescription drug disposal and to offer free collection and disposal services at designated sites. Authorized officials collect the discarded drugs and safely incinerate them.

The effort grew out of concern over the amount of drugs in Illinois' water supply, a growing problem as the population ages and consumes and discards more prescription drugs. Without collection sites, most people flush unwanted drugs down the toilet.

Last year, Gov. Rod Blagojevich asked

the Illinois EPA to test for human and veterinary drugs in Illinois rivers and lakes, says IEPA Director Doug Scott. Water collection samples taken in March at sites in Aurora, Chicago, East St. Louis, Elgin and Rock Island were analyzed for more than 56 different drugs and chemicals. There are no federal standards for the amount of pharmaceuticals that can safely be consumed in the public water supply. For the study, the IEPA set the minimum safety threshold low enough to include any exposure risks that might affect children.

The 2007 study found that while there were noticeable amounts of over-the-counter and prescription drugs in the water, the public was not at risk. About half of the identified chemicals found in the samples came from veterinary drugs associated with agricultural animals. Ecological effects — what the chemicals

may be doing to animals and plants — were not part of the study.

Tom Hornshaw, a member of the IEPA's toxicology assessment team, says that to gain a more precise analysis, the agency will conduct more studies later this year, once rivers and lakes are at their low points. Heavy rains and high water flow may not have provided the most accurate results, he says.

In a separate study by the Illinois Department of Public Health, analysts found noticeable doses of veterinary drugs in Lake Springfield, says Colleen O'Keefe, division manager for the Illinois Department of Agriculture.

There is no current threat to public health and safety, Scott says, but by starting to address the growing problem early, "an ounce of prevention is worth a pound of cure."

Tony Hamelin

LEGISLATIVE CHECKLIST

The Illinois General Assembly will return this month for an abbreviated fall session. Since adjourning its spring session in May, the legislature convened a few times throughout the summer and fall to consider some measures affected by Gov. Rod Blagojevich's "rewrite to do right" campaign. In addition to approving ethics reforms, lawmakers also approved a way to restore state funding that Blagojevich had cut, which threatened essential state services and recreational sites. The governor approved part of the plan to restore the budget cuts, but not all. Here is where some of the sensitive measures stand:

✓ **Ethics reforms**

HB 824 It took three years, but the General Assembly finalized campaign finance reforms that will prohibit state contractors from donating to the political funds of statewide officeholders who sign those contracts. The legislature had to override the governor's changes for the so-called pay-to-play ban to take effect, which will happen January 1.

SB 780 The Senate in September approved the governor's proposal to expand the pay-to-play ban to apply to state legislators and statewide political parties. Similar versions were introduced in the House but face opposition because of potential constitutional problems concerning the right to free speech.

Meanwhile, Rep. Jack Franks, a Woodstock Democrat, also is pursuing legislation to require politicians to return money given to them by donors convicted of federal corruption. He says Blagojevich has not returned



Sen. Jeff Schoenberg, an Evanston Democrat, and Comptroller Daniel Hynes await a Senate vote on a pay-to-play ban that prohibits businesses with significant state contracts from donating to the officeholders who sign those contracts. The measure became law shortly after.

campaign money contributed by Tony Rezko or Ali Ata, both convicted of federal crimes (see *Illinois Issues*, June, page 35).

✓ **Budget restorations**

SB 790 The House and Senate agreed to transfer \$221 million of taxpayer money from dedicated state funds to restore budget cuts that threatened to close 11 state parks and 13 historic sites, as well as force the layoffs more than 400 public employees and decrease availability of human services.

The spending portion of the plan is contained in **SB 1103**. The governor signed the fund transfers, but not the spending plan, saying there could be a

problem with the amount of money available. He must act by December 5.

✓ **Autism funding**

HB 2070 The Senate for the fourth time approved legislation that would mandate insurance policies to pay up to \$36,000 for autism diagnosis and treatment services for children younger than 21. The benefit would be adjusted for inflation each year. Both chambers previously approved the exact language, but political maneuvering prevented the measures from taking effect. The most recent version is in the House and could be considered during the fall session.

Bethany Jaeger

UPDATE

• The sentencing hearing for convicted felon Antoin "Tony" Rezko was indefinitely delayed after twice being pushed back (see *Illinois Issues*, July/August, page 11). Rezko's

cooperation in an ongoing political corruption probe could affect his sentencing conditions. Another hearing is scheduled for December 16.

For more news see the Illinois Issues Web site at <http://illinoisissues.uis.edu>

Con-Con confusion

Voters will get an extra blue sheet of paper when they walk in to cast their ballots November 4. They'll also see a special notice posted in the voting booths, in absentee ballots, in their local newspaper and on Web sites.

That notice will explain that the first question on the ballot contains what a judge deemed "inaccurate" and "misleading" information about voters' choice of whether to call a constitutional convention, commonly called Con-Con.

The 1970 Illinois Constitution, which was written during the state's last convention, requires that the question be put before voters every 20 years. A committee of state legislators drafted this year's referendum, which was certified by the Illinois State Board of Elections and the secretary of state.

The Chicago Bar Association, Lt. Gov. Pat Quinn and Con-Con proponents filed suit in Cook County and argued that the language was biased against a convention because it includes

the fact that the 1988 referendum failed by a 3-1 margin. More important, they argued, the explanation wrongly states that skipping the question equals a "no" vote.

Cook County Circuit Court Judge Nathaniel Howse Jr. ruled in their favor and after multiple, day-long meetings with both sides ordered local election authorities to hand out and post notices telling voters to disregard the inaccurate sentence.

Bruno Behrend, co-founder of the Illinois Citizens Coalition that supports the call for a convention, is involved in the case and says the legal argument is about, "How do you unring a bell?"

"We just ask people to try and do the intellectual exercise: Read this language on the ballot, understand that it's wrong, and try to craft an order that ameliorates it. No matter what your view on the outcome of the election, you can't."

State and local election officials, however, argued against reprinting the entire

ballot, which Cook County Clerk David Orr said could have cost as much as \$1.5 million for the county and another \$1.5 million for Chicago only. Printing millions of notices, he says, will cost a lot less, although no estimates were available by press time.

It could have been worse, Orr says, adding, "The key thing here is whoever made this, quote, mistake, or made what the court has ruled [was] a very bad judgment in language, is making it very difficult for everybody else in the state."

The debate might extend past Election Day, pending an appeal and another potential lawsuit asking the courts to invalidate the entire referendum.

Daniel White, executive director of the State Board of Elections, says he still feels confident in the fairness of the election. "I think the voters will have all the information that they need for them to make a fair determination in voting on the question."

Bethany Jaeger

ELECTION

New voting bloc: Youth focused on climate

They call themselves the "Millennial Generation" and claim that this year, a quarter of the electorate will be represented by the 50 million young people from 18 to 31 years old, many of whom are organizing behind a common issue: global climate change.

Power Vote, a national nonpartisan effort spearheaded by the Energy Action Coalition, aims to collect 1 million pledges from young people on hundreds of college campuses and in communities throughout the country to "vote for clean and just energy."

"We'd like to reframe the debate," says Chris Klarer, who coordinates the efforts in Illinois for the youth-led coalition of more than 40 national organizations working for a clean energy future. To the point, he says it's about educating elected officials and those running for office that this is an issue important to young people.

"If they want to tap into that 25 percent of the electorate that the youth make up, and they want to do well with that constituency," he says, "they need to have environmental policies that will resonate with students."

Opportunity 08, a poll by the Brookings Institution, found that young voters are more concerned about the environment than are their parents or grandparents and that an overwhelming majority believe Americans "should do whatever it takes" to protect the environment.

And more young people are going to the polls.

A study of the last two presidential elections funded by the Pew Charitable Trusts showed an 11 percent increase in voter turnout for ages 18 to 24. Klarer predicts the turnout for the Millennial Generation will be even greater this year. However, a survey conducted this summer by Harvard University's Institute of Politics found that just 8 percent of 18- to 24-year-old college students listed the environment as their main issue in this election.

Still, Klarer says, "what needs to happen is that candidates start to recognize youth as a legitimate constituency with legitimate issues and important concerns that inform their decisions when they go to the polls."

Beverly Scobell

In honor of Lincoln

Thirty Illinois citizens have received the state's highest honor for — in various ways — preserving the memory of Abraham Lincoln and demonstrating "his influence on the American spirit."

The Lincoln Academy of Illinois, a nonpartisan organization formed in 1964, awards the Order of Lincoln to honor distinguished Illinois citizens. To help commemorate Lincoln's 200th birthday in February 2009, the Illinois bicentennial laureates are not just from this state but from around the world.

The following recipients will be honored at a formal dinner at the Abraham Lincoln Presidential Museum in Springfield on February 7, 2009:

- **Jean Harvey Baker**, Mary Todd Lincoln biographer and Bennett-Harwood Professor of History at Goucher College in Baltimore.

- **Gabor Boritt**, author and editor of 16 books on Lincoln and the Civil War, and **Robert Fluhrer**, professor of Civil War studies and director of the Civil War Institute at Gettysburg College in Pennsylvania.

More honorees on page 13

BOOKSHELF

New Ryan biography: Parsing the politics of crime and criminals

One year ago this month, the 39th governor of Illinois reported to federal prison in Wisconsin to begin serving a six-and-a-half-year sentence.

Political writer James Merriner followed the career of former Gov. George Ryan for more than two decades, most of that time as a reporter for the *Chicago Sun-Times*. In his new book, *The Man Who Emptied Death Row: Governor George Ryan and the Politics of Crime*, Merriner examines Ryan's seeming split personality: a Nobel Peace Prize nominee convicted of political corruption.

For most of the public, Ryan is known for two actions at the end of his political career. He commuted the sentences of all prisoners on Death Row, and he went to prison himself. He was convicted of 18 counts of official wrongdoing in a federal investigation called Operation Safe Road that tried nearly 90 people for various crimes related to trading commercial driver's licenses for bribes that went to Ryan's campaign war chest.

"The paradox of a petty and ruthless grafter who was also a moral entrepreneur against capital punishment makes a story that might challenge a Dostoevsky," Merriner writes. "Ryan's motives and character in both areas, the moralist and the thief, are hidden in the corkscrew of the human heart."

But Merriner's book also captures a slice

of this state's timeline that explains much of its political past and may foretell its future. George Ryan rose from the wheeler-dealer, pay-to-play politics of the Republican mini-machine of Kankakee County, and to the end, he never believed he did anything wrong. The night before he reported to prison, Merriner writes, Ryan said: "I do so with a clear conscience. As I have said since the beginning of this 10-year ordeal, I am innocent."

That's been a constant refrain in Illinois politics from the very first governor accused of violating the public trust. In the *Illinois Governors* series published by the University of Illinois at Springfield, authors Robert Howard, Peggy Boyer Long and Taylor Pensoneau recount similar stories, including that of Gov. Rod Blagojevich, who has not been formally accused of wrongdoing, though members of his staff and close advisers have been convicted or pleaded guilty to federal charges.

But the scandals in the Matteson, Small (also from Kankakee), Stratton and Kerner administrations (Gov. Dan Walker's misconduct was not connected to his governorship) give some historical context to the fleshed-out detail of Ryan's rise and fall in Illinois politics provided by Merriner.

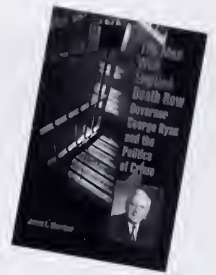
However, he says of Ryan: "The politician never perceived Operation Safe Road with the moral clarity with which he understood capital punishment."

Ryan "agonized" over the decision to put his name on the death warrant of a convicted murderer, even one whose crimes were so ghastly that "the most feverish advocate of the death penalty could hardly invent a seemingly more worthy candidate for the ultimate punishment." Yet, Ryan did allow the execution.

But for the rest of his term, Ryan held that Illinois' justice system was broken — since reinstatement of the death penalty in 1977, more than half the people on Death Row were found to have been wrongly convicted and nearly half of about 300 capital cases had been reversed for a new trial or resentencing. In 2000, Ryan imposed a moratorium on executions, and in his last days as governor, he pardoned four inmates from Death Row, commuted the sentences of 163 remaining inmates to life in prison without parole and four others to 40 years.

Merriner concludes by saying: "An ordinary man from an ordinary midwestern city changed the terms of a worldwide debate on a crucial moral issue. Our culture celebrates the physical courage of athletes and warriors. Maybe we should honor more the moral courage that can be displayed by ordinary, even sinful, people."

Beverly Scobell



Presidents, pool and politics

United States presidents' physical and leisure time activities provide insight into their leadership and political prowess, says Tim Miller, a political science professor at the University of Illinois at Springfield. Miller, who specializes in the American presidency, has researched the leisure activities of Presidents George Washington, John Quincy Adams, Abraham Lincoln, Dwight Eisenhower and others.

While Miller, a pool and billiards fan, studies which presidents played the game and how well, his research also delves into other sports. His main focus is on how leisure activities influence a president's growth, development and health, and how those leisure activities are used

and viewed as political symbolism.

Washington kept meticulous financial records that show he lost 15 out of 21 billiards games. Whether he lost on purpose as part of a larger political strategy is up for debate, Miller says. And Lincoln communicated policy through folk stories while playing billiards in local saloons.

Eisenhower, a football player in his youth, developed leadership skills he would use later in his career when he helped create his town's first high school football program, Miller says.

Presidential candidates have used athletics and leisure activities as political symbolism at least as far back as Andrew Jackson. In the 1828 campaign, Jackson pointed to billiards as evidence to mark John Quincy Adams as "elitist" and

imprudent with government money, Miller says. Adams was the first U.S. president to put a billiards table in the White House, according to the White House Association, a nonprofit group dedicated to conserving and interpreting the White House.

More recently, 2004 U.S. presidential candidate Sen. John Kerry was tagged as elitist for wind-surfing off Nantucket. The Bush campaign said the swerving back and forth symbolized Kerry's inconsistent message. Kerry also failed to appeal to gun owners and hunters when a hunting photo-op showed someone other than Kerry holding the caught prey, says Miller.

Neither Sen. John McCain nor Sen. Barack Obama are known to play pool.

Tony Hamelin

MetroLink may expand

St. Louis-based MetroLink may include new stops in Alton or Edwardsville, says Madison County Transit Authority Executive Director Jerry Kane.

Today, MetroLink extends 46 miles from Lambert-St. Louis International Airport to the Shiloh-Scott station, with 11 stops in Illinois. The service provides public transit access to more than 260,000 St. Clair County residents alone. Currently, more than 70,000 downstate Illinoisans work in St. Louis.

Illinois service began in 1993. Today MetroLink reaches 17 miles into the state. In 2001, MetroLink was extended to Southwestern Illinois College in Belleville. Two years later, the service reached to Scott Air Force Base near Mascoutah.

The East-West Gateway Organization, a nonprofit bistate planning group, has produced surveys and planning reports that show support for expanded MetroLink service, says Metro spokeswoman Diane Williams. The group has cited a need to reduce traffic congestion and increase economic and educational access in the region.

However, Madison County voters rejected a 1997 measure calling for a one-half-cent sales tax increase to fund MetroLink expansion into that county.

Southern Illinois University at Edwardsville, a proposed

future MetroLink stop, currently enrolls about 840 students from Missouri, or 6 percent of the school's 13,500 students, says Greg Conners, public affairs spokesman for the university.

While public opinion is shifting in favor of MetroLink service, capital funding needed to expand farther into Edwardsville or Alton is an issue, says Williams. Federal capital spending for the 15-year-old MetroLink dropped from 80 percent to 50 percent from 1993 to 2008. "Illinois state government had been a big contributor" to ensuring MetroLink access and service to Illinoisans, says Williams. The Illinois FIRST program contributed 80 percent of the \$75 million cost for the 2003 Shiloh-Scott expansion.

Currently, most Madison County communities can connect to MetroLink through their local bus systems. But a commute on both bus and rail to midtown St. Louis from Edwardsville can take up to an hour each way. Direct MetroLink service would reduce that travel time.

Weekday ridership on MetroLink is more than 67,000, an increase of about 15 percent in the first half of 2008. Daily ridership was reported at more than 48,000 from 2006 to 2007, according to data collected by the Washington, D.C.-based American Public Transit Association.

Tony Hamelin

Lincoln honorees *(Continued from page 11)*

- **Michael Burlingame**, author and editor of books on Lincoln and Sadowski Professor of History emeritus at Connecticut College.

- **Richard Carwardine**, Lincoln biographer and Rhodes Professor of American history at Oxford University, England.

- **Julie Cellini**, a driving force behind the creation of the Abraham Lincoln Presidential Library and Museum in Springfield and chair of the Illinois Historic Preservation Agency, which operates all state-owned Lincoln sites.

- **Cullom Davis**, founding director and senior editor of The Lincoln Legal Papers and retired professor of history at the University of Illinois at Springfield.

- **Eric Foner**, author of books on Lincoln and Reconstruction, and **DeWitt Clinton**, history professor at Columbia University in New York City.

- **Allen Guelzo**, author of books on Lincoln and the Civil War, and Henry Luce Professor of the Civil War Era at Gettysburg College in Pennsylvania.

- **Harold Holzer**, co-chair of the U.S. Lincoln Bicentennial Commission and author of books on Lincoln and the Civil War.

- **Charles Hubbard**, Lincoln author and director of the Abraham Lincoln Library and Museum at Lincoln Memorial University in Harrogate, Tenn.

- **Ron Keller**, curator of the Lincoln College Museum and professor of history at Lincoln College in Lincoln.

- **Philip B. Kunhardt III** and **Peter Kunhardt** of Kunhardt Productions, producers of Lincoln documentaries and publishers of Lincoln books.

- **John McClarey**, Lincoln sculptor from Decatur.

- **Edna Greene Medford**, author of books on emancipation and slavery, and professor of history at Howard University in Washington, D.C.

- **LeRoy Neiman**, the artist who created a 1969 portrait of Lincoln that is considered a modern American classic.

- **Don Pollack**, Lincoln artist and professor at the Art Institute of Chicago.

- **Robert Provost Jr.**, founder of the Lincoln Center in Tirana, Albania.

- **Bob Rogers** of BRC Imagination Arts of Burbank, Calif., designer of the Abraham Lincoln Presidential Museum.

- **Thomas Schwartz**, Illinois state historian, internationally renowned Lincoln expert and key planner of the Abraham Lincoln Presidential Library and Museum.

- **Jack Smith**, a collector of Lincoln prints and photographs displayed as part of a Lincoln exhibit at Northern Indiana Center for History.

- **Rhoda and Lowell Sneller**, founders of AbrahamLincolnOnline.org.

- **Louise Taper** of Beverly Hills, Calif., renowned Lincoln collector, exhibit organizer and John Wilkes Booth author and collector.

- **Wayne Temple**, Lincoln author and chief deputy director of the Illinois State Archives in Springfield.

- **Lily Tolpo**, Lincoln sculptor and native of Stockton.

- **Daniel Weinberg**, owner of the Abraham Lincoln Book Shop in Chicago and Lincoln author.

- **Frank Williams**, Lincoln author and collector and chief justice of the Rhode Island Supreme Court.

- **Douglas Wilson** and **Rodney Davis**, Lincoln authors and co-founders of the Lincoln Studies Center at Knox College in Galesburg.

Going for the gold

A Chicago Olympics is being sold as a lucrative opportunity, but some are concerned about fiscal and social costs

by Mike Ramsey

A shining Olympic Stadium with masses of travelers streaming into it. Urban renewal on a grand scale. Increased commerce and resulting tax bumps for government coffers. Those are among the benefits the Chicago region stands to gain if the city hosts the 2016 Summer Games — or at least that's what boosters promise as a special committee puts the final touches on a secretive, competitive bid that is due in February.

"This is a tremendous opportunity," says Jack Lavin, director of the Illinois Department of Commerce and Economic Opportunity, who sits on a crowded steering panel for Chicago 2016, a not-for-profit organization that is coordinating the city's bid. "If Chicago is chosen, it'll put Chicago and Illinois on a whole different level, as far as tourism, and especially international tourism, goes. We think this is a great win-win for the city and the state."

Proponents have not been as quick to highlight the potential taxpayer costs of preparing for the Games, a multibillion-dollar enterprise that has gone over budget in other host cities (in London, site of the 2012 Olympics, the price tag has more than doubled). Also tempering the excitement are the concerns of some grass-roots organizers. They fear that the fast-track redevelopment necessary for the Olympics, if poorly planned and coordinated, could have a negative impact on Chicago neighborhoods where athletic venues and residences would be

built. The city continues to hemorrhage low-income housing, critics say.

"On the south side of Chicago, some of our neighborhoods are either challenged by gentrification or have been challenged by decades of disinvestment," says Jhatayn "Jay" Travis, executive director of the Kenwood Oakland Community Organization. The agency is part of an 11-member umbrella group dubbed the Coalition for an Equitable Olympics that seeks affordable-housing and job guarantees and other concessions from Chicago Mayor Richard Daley and Olympic planners. "We want to make sure any investments that are made or that come to our neighborhood actually benefit the people that are here and don't serve to push the people out."

Daley and Chicago 2016 chairman and CEO Patrick Ryan, a former Fortune 500 insurance executive, have led the Olympic charge, which gained momentum last year when the U.S. Olympic Committee selected the Windy City as the nation's best bet to land the games. Chicago now squares off against Tokyo, Rio de Janeiro and Madrid, and the International Olympic Committee will select the final winner next October.

From the start, advocates of a Chicago Olympics have trumpeted the economic dividends — some of them long-range — that such a high-profile event could bring.

"The [potential] branding value is just huge for Chicago and Illinois," Ryan

says. "When people get to know a great city they start thinking, 'Well, maybe I'll get a second home there; we're expanding, we need to get a North American headquarters, and Chicago looks like a great place right there in the heartland of the country.' There's no doubt that that kind of activity comes out of the branding."

Obvious beneficiaries of the games would be the Chicago area's hospitality and service industries, which would accommodate a projected 2 million visitors. Chicago 2016 has not released its own revenue estimates, but University of Illinois at Urbana-Champaign economist Geoffrey Hewings estimated the Chicagoland economy would see an infusion of \$5 billion in gross spending and the creation of 81,500 jobs — many of them temporary — during the two weeks of the 2016 Games. He says his financial estimate includes a share of money that local and state governments would collect, but those revenues were not separated out.

Hewings cautions that his calculation, done for *Crain's Chicago Business* in 2006 and based on the experience of Los Angeles' hosting of the 1984 Olympics, doesn't take into account the droves of people, including locals, who would steer clear of Chicago to avoid the hoopla. And addressing claims by organizers that an Olympics could generate an operating profit, he says the most accurate accounting would compare all



Soldier Field has been offered as a venue for soccer games should Chicago win the bid to host the 2016 Summer Olympics.

expenses, including capital-construction costs, against revenues, such as merchandising, ticket sales and broadcasting rights. Hewings agrees that hosting the games could be a great opportunity.

"I would make a distinction between something like an Olympics, which is truly a mega-, mega-event, as opposed to hosting something of a more modest kind like the Super Bowl," he says. "The fact that billions of people literally watch this — it potentially does provide some benefits for the city in the long term."

Among the skeptics of a big Olympic payday is Allen Sanderson, a University of Chicago economist who specializes in sports finances. He warns that proponents typically exaggerate the ripple effects of the consumer spending that occurs during a huge event to help justify the initial costs. "They can apply a very unrealistic multiplier — you know, 'recycles around the community' kind of thing," he says. "A lot of these multiplier numbers are just way too high."

Of the final Olympic price tag, Sanderson concludes: "If we're lucky, nothing goes wrong and we break even."

The planning efforts of Chicago 2016 reportedly have been financed through more than \$40 million in donations — a promising indicator to some that the private sector would step up in a big way for the actual games. The potential public cost share for a Chicago Olympics remains murky. The Chicago City Council last year agreed to put up a controversial \$500 million guarantee as a sort of insurance policy for worst-case scenarios. A nagging question is whether the city government would end up absorbing or fronting some development costs, given Chicago's latest budget problems and Daley's often-quoted pledge that no taxpayer dollars would go toward an Olympics.

The signature construction projects envisioned for the Chicago games are a \$1.1 billion Olympic village for athletes that would be built on or near the downtown lakefront; a nearly \$400 million, 80,000-seat stadium within Washington Park on the city's south side (it would be converted into a small amphitheater after the Games) and an \$80 million aquatic center for Douglas Park on the west side.

Daley's mayoral press office ignored

requests by *Illinois Issues* to interview administration officials about the Olympic plans. Ryan insisted the Olympic facilities would be entirely privately financed and that the city's guarantee would not need to be tapped, even with the souring national economy. "It's clearly an issue that any sane-minded person would be looking at," he says of the downturn, "but because we have an eight-year horizon, we do believe that we'll be just fine."

Roosevelt University political scientist Paul Green, an unabashed supporter of bringing the Olympics to Chicago, is not discouraged by the bleak financial atmosphere. He says Chicago civic leaders faced similar challenges while staging two transforming international events, the world's fairs of 1893 and 1933, but plowed ahead to great success.

"Both took place during times of tremendous economic problems — the recession or near-depression of 1893 and certainly the depression of 1933-34," Green says. "What [the fairs] did for the city is give it some life, some juice, and helped create incredible tourism and infrastructure and all that kind of stuff."

Observers expect the federal government, which has provided transportation and security funding for previous U.S. Olympic events, to lessen Chicago's burden if the Games come to Illinois. State government would be expected to chip in, too.

Lavin, the director of the Illinois Department of Commerce and Economic Opportunity, said he has been approached by Olympic planners about possible state assistance for venues that could be used after the games. He declined to offer details. He said Gov. Rod Blagojevich's administration still plans to push for a state-level insurance guarantee similar to the Chicago City Council's (the governor last year suggested a smaller level: \$150 million). Lavin adds that a long-delayed state public-works program could dovetail with improvements necessary for an Olympics.

So what's in it for the rest of Illinois? Olympic visitors typically have tunnel vision for the games and don't hit tourism destinations, argues Sanderson, the U of C sports finance guru, who doubts travelers will venture beyond the metro area. Also, because the Olympics would be relatively compact, downstate would not share in the games. Ryan, who contends travelers will visit other parts of

Illinois, said downstate colleges and universities would be used as training sites in the weeks leading up to the games.

State Sen. David Kochler, a Peoria Democrat, expects something tangible. "If they expect any downstate votes on [a state assistance] package, they need to make some kind of conditions on it that we're going to receive some of the economic benefit," he says. "I don't think that's too far-fetched."

A bigger revolt could be brewing in Chicago itself, based on the concerns of Travis and other grass-roots organizers about housing and jobs for minority residents. They are trying to pressure city officials and Olympic planners to provide written guarantees before the Chicago bid is submitted early next year. Ryan, the Chicago Olympic chief, was non-committal about such an agreement but said he will convince the groups that their communities will be "significant beneficiaries" if the games come.

Planners can mitigate the displacement of residents by cutting locals in on Olympic-related contracts and jobs and by redeveloping neighborhoods such as Washington Park long before the event, says Cheryle Jackson, executive director of the Chicago Urban League. The organization released an economic-impact study last year that offered recommenda-

tions to the city and Chicago 2016.

"Putting a stadium in an underserved community is a first step, but it can't end there," says Jackson, who, like Lavin, sits on the Chicago 2016 steering panel. "[For] tourists and visitors that come into the stadium, if there's nothing in the community, if the community is not built up, there's no reason for them to stay. They're in and they're out."

Not everyone is dissatisfied. Cecilia Butler, president of the Washington Park Advisory Council and a longtime resident of the neighborhood, says she's excited by the prospect of the Olympics and expressed optimism that organizers would do right by residents. A separate coalition she represents has asked city leaders and Chicago Olympic planners to accept 26 points ranging from a request for job development to shared control of the amphitheater that would remain in the park.

"I'm sure those people that should sign off don't want to increase the anger," Butler says. "The Olympics is something that everybody is supposed to be happy about. I'm sure they're going to do the right thing, because if we really want the Olympics in the city of Chicago, that's what we have to do." □

Mike Ramsey is a Chicago writer who has covered Illinois government and politics.

Photograph courtesy of Chicago 2016



McCormick Place is proposed as the site of the main press center and the international broadcast center should Chicago get the nod to host the 2016 Olympic Games.

Power of the podium

The next Senate president will face high expectations

by Bethany Jaeger

Voters will have cast their choice for U.S. president by November 4, but one more president must be elected in Illinois. The general public won't have a say in this one, however.

It's solely internal, as Illinois Senate Democrats will pick a new presiding officer to replace outgoing President Emil Jones Jr., who will retire in January. His son, Emil Jones III, will fill his Senate seat, but the race to replace him at the helm of the chamber is exposing a lengthy list of candidates.

That could change this month, when the Democratic Caucus is expected to firm up its votes for the next caucus chair and chamber spokesman — and it almost certainly will be a man because no female candidates had entered the race by mid-October.

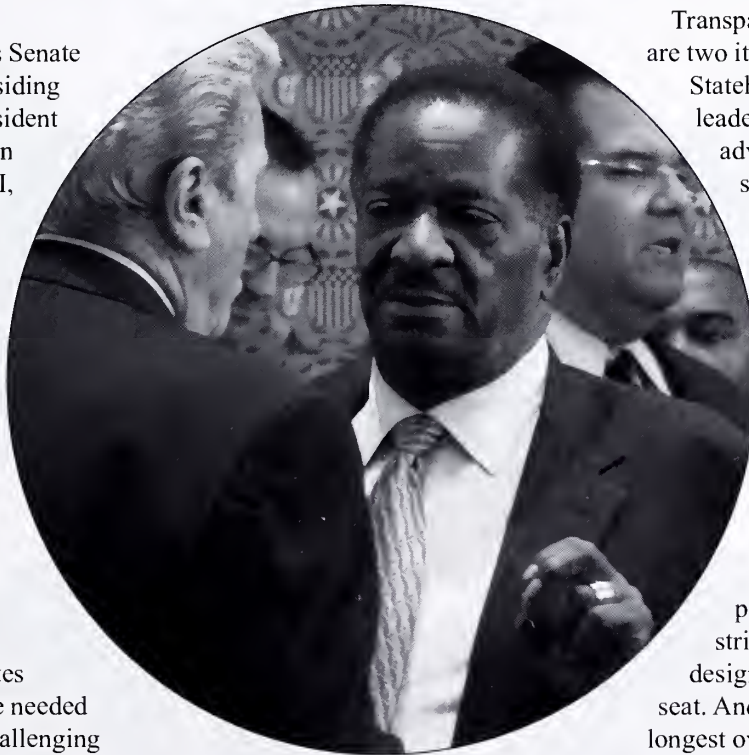
Courts have ruled that 30 votes from among the 59 senators are needed to become Senate president, challenging the front-runners to gain enough support with so many candidates in the field.

The presiding officer holds extraordinary power, thanks to state statute. The president determines the flow of legislation and appoints members to legislative committees, which determines whether the panels are workable or unworkable.

But this year, the weight of the gavel carries with it high expectations for reha-

bilitating the chamber and refreshing the entire Statehouse climate.

"We're atypical," says Kent Redfield, a



Senate President Emil Jones Jr. is retiring.

political scientist at the University of Illinois at Springfield. "We're not normal in terms of how much power rests in the hands of the leaders versus the membership. In most state legislatures, members have a lot more say in things.

Committees work a lot better. We've really gone to an extreme, so I think you can expect some movement back in the other direction."

Transparency and consensus building are two items on everyone's wish list. Statehouse insiders hope a new leader will open up the process of advancing legislation, and they seek a willingness to cooperate with political parties in both chambers and with the governor's office.

The sense of hope extends beyond the Capitol. The general public wants a new president who could break a multiyear stalemate among Gov. Rod Blagojevich, House Speaker Michael Madigan and Jones, all Chicago Democrats. Each participated in an extensive string of political power plays designed to put the others on the hot seat. And the triumvirate has caused the longest overtime legislative session in state history, followed by the dismal announcement to decrease essential state services, lay off hundreds of state employees and close 11 state parks and 13 state historic sites this year.

A Chicago Democrat on Jones' leadership team says the outgoing Senate president is Blagojevich's No. 1 ally and likens Jones to a World War II hero.

"He was the Gen. [George] Patton to his presidency," says Sen. Donne Trotter,



Sen. John Cullerton speaks with Chicago media during a legislative session this fall.



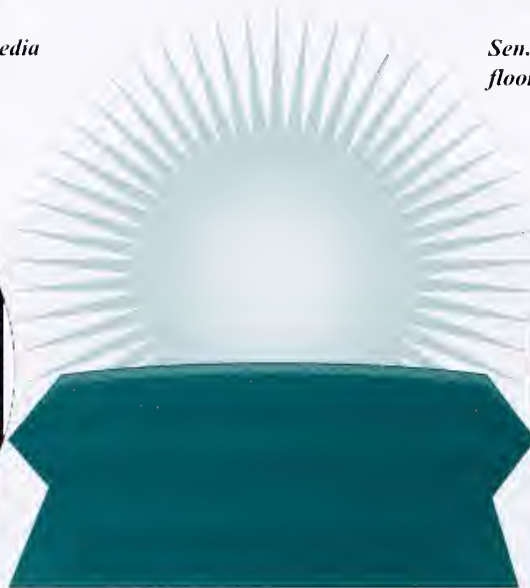
Sen. Ira Silverstein of Chicago speaks with a colleague during floor debate.



Sen. James Clayborne Jr. of Belleville listens to floor debate during a September session.



Sen. Terry Link of Wankegan says his independence is his strong suit.



Sen. Jeff Schoenberg of Evanston speaks to reporters.



Sen. Don Harmon of Oak Park speaks to reporters shortly before the chamber approves ethics reforms that he sponsored.



Sen. Donne Trotter, right, confers with Sen. Gary Forby. Trotter is the Senate Democrats' chief budget negotiator.

Photographs by Bethany Jaeger.

Sen. Terry Link's photograph courtesy of Senate Democrats

a Senate majority caucus whip. “We’ve literally been at war for the past few years. So he’s been a field general, and he’s going to be hard to replace.”

The slew of senators mentioned early in the race include at least four members of Jones’ leadership team and at least three who have slight or hardy independent streaks.

Sen. John Cullerton of Chicago is the longest-serving Democrat in his chamber and has a working history with the House speaker. Sen. James Clayborne of Belleville is the only downstate contender and a member of the Legislative Black Caucus. Sen. Terry Link of Waukegan chairs the Lake County Democratic Party and has put a dent in the GOP representation of the suburbs. Trotter lives in Chicago and is the key budget negotiator for his caucus.

All four serve on Jones’ leadership team.

Three not in Jones’ cabinet who have high-profile positions include Sen. Don Harmon of Oak Park, sponsor of this year’s ethics reforms banning so-called pay-to-play politics; Sen. Jeff Schoenberg of Evanston, who sponsored legislation to bring in \$4.5 billion of federal Medicaid funds for hospitals; and Sen. Ira Silverstein of Chicago, who chairs the powerful Executive Committee and says he enters the race only as a “compromise” candidate.

The new leader will completely change the dynamics of Illinois politics, says Sen. Mike Jacobs, an East Moline Democrat who is the third generation in his family to have worked with Jones. He also has publicly and privately clashed with the governor.

“No longer is it going to be a Blagojevich-Jones alliance against the speaker. I believe what’s going to happen now is it’s going to be a Senate and House against the governor. I think this is good because it puts back the three branches of government: executive, judicial, legislative.”

Jacobs notes that Jones’ leadership style has helped him build his caucus from 27 members to an extraordinary 37, enough to advance major legislation without needing Republican votes.

“I also think that kind of a leadership style that he had didn’t help him once he was in power,” Jacobs says. “I think his

Diversity will serve as an asset, as well as a challenge, to the chamber president. African Americans, Latinos, suburban Chicago legislators and downstate lawmakers have their own subgroups and often use their memberships to gain leverage.

leadership style was more suited to gaining power. I think the next Senate president is going to be more of a facilitator, more of a compromiser. He’ll have to listen a little closer to his caucus.”

The next leader might heed the advice of Philip Rock, an Oak Park Democrat who served as the Senate’s presiding officer for seven terms between 1979 and 1993. He took the podium with the intent to infuse good government into the system and operate on one basic philosophy: “Treat all the members fairly.”

Every member should get a fair shot to debate legislation he or she deems important, Rock says.

“I think absent that, if you try to shut down or bypass or give short shrift to a member’s interest or abilities, you hurt the whole institution. There’s no reason why everything can’t be openly and fairly debated. It takes a little longer, but, frankly, it works a lot better.”

Link of Waukegan says he would be “a natural” in leading the caucus, given that he also leads one of the fastest-growing Democratic bases in the state. He says his independence is his strongest suit.

“I have no obligation to anyone. By not having an obligation to the speaker, not having an obligation to the governor, not having an obligation to [Chicago Mayor Richard Daley] or anyone else,

[it] makes me have that ability to cross the line to work with Republicans and also cross the line to work with the House, the governor — and remember that my main objective is the caucus and the Senate.”

Diversity will serve as an asset, as well as a challenge, to the chamber president. African Americans, Latinos, suburban Chicago legislators and downstate lawmakers have their own subgroups and often use their memberships to gain leverage.

On a rare occasion this fall, they all agreed to restore budget cuts that threaten state recreational sites and human services, as well as to enact landmark ethics reforms.

But it took behind-the-scenes drama to get there. At one point, some Senate Democrats rumbled about a coup d’état, of sorts, upon speculation that Jones again would side with Blagojevich and buck the budget restorations the House had unanimously approved a few weeks earlier. Cooler heads prevailed, and the Senate acted in accordance with the House to allow the governor to sweep about \$221 million from dedicated state funds to restore money for human services, historic sites and state parks.

The governor approved part, but not all, of that plan.

The negotiations showcased members who consider themselves front-runners for the Senate presidency versus those who say they only will enter as “compromise” candidates if the caucus hits a stalemate.

Cullerton, majority caucus whip from Chicago, is one who describes himself as a front-runner. During negotiations, he cast the deal to restore state funds as “easy,” despite the false starts.

“Initially, it appeared that we were, once again, going to fight with the House, not talk to them, send a bill over and try to stick it to them,” he said during the legislative session. “That’s not what my suggestion was when we had our leadership meeting. And, quite frankly, I’m not going to take credit for it, but I suggested that we do exactly what we’re doing.

“And that’s the way it’s going to be next year after I get elected.”

Cullerton, an attorney with a Chicago law firm, adds that he spent 12 years in the House. His district runs along Lake

Michigan on the north side of Chicago.

Some perceive Cullerton's long history with Speaker Madigan as risky for the caucus' independence.

Cullerton disagrees.

"Can you imagine having to apologize for having a relationship as a Democratic president of the Senate and getting along with the Democratic speaker of the House?" he says. "That's ludicrous. I'm not going to work this hard as it will be to get this job and then turn the gavel over to the speaker. I'm going to serve the members who elected me. But after you do that, you sit down with the other side and try to work out agreements. And you do the same with the governor."

Cullerton says he would be a different kind of leader from Jones.

"I think it would be just a different style, more inclined to work with the

House, and I think I'd like to make it a little bit less toxic in terms of our relationship with the Republicans."

Jones has worked with Republicans, most notably in 2007 when his chamber twice approved gaming expansions to pay for a major capital plan for road and school construction projects. But both versions died in the House.

Clayborne, assistant majority leader from the Metro East area, is another rumored front-runner and the only downstate member in the running. He has the cross-pollination that could attract support from factions within the caucus. He is the only African-American senator from outside the Chicago region. He grew up in East St. Louis and is an attorney with a national law firm based in Chicago with offices in Belleville and Edwardsville.

Clayborne points out that the 57th District is mostly urban but includes rural areas in St. Clair and Madison counties. He also cites examples of when he's walked the line between the Democratic Party and downstate ideology by voting to protect gun-ownership laws and backing business-oriented legislation, including an attempt to exempt riverboats from the statewide smoking ban.

But he also voted with Chicago Democrats when he switched positions to be the 30th and deciding vote needed to rescue Chicago-area mass transit from financial implosion.

By switching his vote, Clayborne abandoned a downstate Democratic pact to withhold votes for a mass transit deal until the General Assembly advanced a statewide capital construction plan.

THE SENATE CONTENDERS

James Clayborne of Belleville



- Assistant majority leader and the only downstate senator in the running.
- Appointed to the Senate in 1995.

James Clayborne • 57th District: Urban and rural areas

in St. Clair and Madison counties.

• Issues: In 2006, he sponsored a bill to deregulate the telecommunications industry. It became law a year later. He sponsored early versions of medical malpractice reforms that eventually became law. He wanted to exempt riverboats and casinos from the statewide smoking ban for at least five years, but that failed. He was the 30th and deciding vote needed to rescue Chicago-area mass transit from financial peril.

• Challenge: He has parted at times from the Black Caucus, as well as the Downstate Caucus. He supports downstate ideals of gun-ownership rights and business interests at the same time he supports such partisan issues as abortion rights.

• Platform: Bring the caucus together, drawing on his unique experience of representing a downstate district with rural and urban areas and diverse populations.

John Cullerton of Chicago



- Majority caucus whip.
- Served in the House for 12 years before joining the Senate in 1991.

John Cullerton • 6th District: Along Lake Michigan on the

north side of Chicago, where the governor also lives.

• Issues: He supported Chicago public school reform, death penalty reform and medical malpractice reforms. He's a staunch advocate for gun control and supports the legalization of marijuana for limited medical purposes. He co-sponsored the statewide smoking ban, and he actively participated in a deal to rescue Chicago-area mass transit that included pension reform.

• Challenge: He's close with House Speaker Michael Madigan. But Cullerton says he doesn't see the need to apologize for that and would not hand over the gavel to Madigan.

• Platform: Work with the speaker and with the Republicans on most bills, minus the ones that are "touchy political issues."

Don Harmon of Oak Park



- Chair of the Revenue Committee.
- Elected to the Senate in 2003.
- 39th District:

Racially diverse area of northwest Chicago and its suburbs.

• Issues: He sponsored the pay-to-play ban on campaign contributions to statewide officeholders and the Equal Pay Act of 2003. He was one of the lead negotiators of the Chicago-area mass transit bailout, as well as the provision on renewable energy in the statewide electricity utility rate debate.

• Challenge: He's only served five years in the legislature.

• Platform: Be fair to everyone and form solid working relationships with the House speaker, the governor, the Chicago mayor and municipalities statewide, and govern by being responsive but independent.

Terry Link of Waukegan



- Majority caucus chair.
- Elected to the Senate in 1997.
- 30th District: Northern Chicago suburbs primarily in Lake County

He explained: "I had to deal with reality. I want a capital bill. I think everybody in the Senate wants one. But until Madigan sits at the table and decides that we're all going to negotiate in good faith like we did with medical malpractice, like we did with Ameren [utility rates], then why should we jeopardize services in Chicago?" He added that the Chicago plan also benefited downstate mass transit districts by increasing state aid for operating costs.

Clayborne has the backing of the Downstate Caucus.

"He's my first choice," says Sen. Deanna Demuzio of Carlinville.

If Clayborne doesn't win, she says downstate legislators will keep an open mind and compromise on a candidate who can grow with the responsibilities of the job.

- **Issues:** He sponsored workers' compensation reforms that balanced business and labor concerns. He also sponsored Gov. Rod Blagojevich's plan to expand state-sponsored health insurance to middle-income families, the 2007 statewide smoking ban and the plan to extend property tax caps to Cook County residents.

- **Challenge:** The perception that his most recent campaign has been under multiple investigations, including the indictment of two people hired by his campaign to collect signatures on his nominating petitions. They allegedly gathered phony signatures. Link was vindicated and says he had nothing to do with their tactics.

- **Platform:** Work independently of the other leaders and have no personal agenda other than representing the caucus. He told the Associated Press in August, "I can work with Attila the Hun if I have to."

Jeff Schoenberg of Evanston



Jeff Schoenberg

- **Appropriation** committees chair and vice chair.
- Served 12 years in the House before joining the Senate in 2003.
- 9th District:

One of those candidates could be Harmon. His district includes west suburban Chicago and O'Hare International Airport, as well as significant African-American and Latino populations. Such diversity could give him leverage.

"My district forces me to be responsive to a variety of constituencies, and having to do that at home in my district is good training for working with those same constituencies here in the Capitol," Harmon says, citing Rock's advice to him to be fair to everyone. "I don't think it gets more elemental than that."

He most recently negotiated the ethics legislation that will prohibit businesses holding significant state contracts from donating to state officeholders who sign those contracts. The so-called pay-to-play ban took three years to unfold and will

Chicago's northern suburbs.

- **Issues:** He was the three-time sponsor of an effort to collect \$4.5 billion in federal Medicaid funds that is distributed among 200 hospitals statewide. He also sponsored legislation to expand Amtrak passenger rail services.

- **Challenge:** His independent streak could chip away at his base of support.

- **Platform:** The state needs a fresh start with someone who has consensus-building skills and who is committed to a more open and transparent process of managing the Senate.

Ira Silverstein of Chicago



Ira Silverstein

- **Executive** Committee chair.
- Elected in 1999.
- 8th District: Ethnically diverse area of northern Cook County.
- **Issues:** He supported the statewide smoking ban and background checks at gun shows and opposed the 2005 medical malpractice reforms.
- **Challenge:** He says he's only a "compromise" candidate if the caucus hits a stalemate for picking a new leader.
- **Platform:** The Senate needs to regain the public's trust, end the divisiveness

take effect January 1.

Blagojevich and Jones opposed Harmon's bill, saying it didn't go far enough. Jones stood on the Senate floor and sometimes pointed in Harmon's direction when saying state contractors will still be able to give money to statewide political parties that turn around and filter the money to the officeholder who signs the contract, anyway.

Jones instead supported a broader ban proposed by Blagojevich. When that idea came to the Senate floor, Jones said those who oppose it just want to protect their fundraising abilities so they can campaign for higher office.

Harmon says approving a bill that almost everyone agrees is fatally flawed would undermine the behind-the-scenes negotiations already happening to

within the Democratic Caucus and improve the transparency of state government.

Donne Trotter of Chicago



Donne Trotter

- **Majority** caucus whip.
- Appointed to the House in 1988 and joined the Senate in 1993.
- 17th District: South Chicago and portions of its southern suburbs with a diverse population.

- **Issues:** He is the caucus leader of budget negotiations and, as a former hospital administrator, often sponsors health policy proposals. He voted "present" on the statewide smoking ban and sponsored a measure to expand a constitutional amendment to allow the recall of most state and locally elected officials, which failed as expected.

- **Challenge:** As budget negotiator, he has carried and has had to defend many of Senate President Jones' and Gov. Rod Blagojevich's budget initiatives, which could be perceived as a continuation of the Democratic stalemate.

- **Platform:** Unite the caucus and invite new ideas from all members.

expand state ethics laws. He says the vote also could give the impression that the Senate is more interested in the appearance of advancing comprehensive ethics reforms than it is in ironing out the complicated details with the House.

"Let's negotiate this bill before we start throwing bombs across the building," Harmon said before the Senate voted to approve the measure.

Silverstein, another contender, also urged his peers to vote "present" to demonstrate their opposition to the process but support of the concept.

As a "compromise" candidate, Silverstein describes himself as a "meat-and-potato type of guy." That comes in handy as chair of the vocal Executive Committee, which can become unruly with political tactics. Case in point: the ethics legislation that was subject to repeated rounds of politics.

"There's no question you're playing politics all the time," Silverstein says, "but there's a point in the game where you have to say, 'OK, let's put our cards on the table and see what we can get done.'"

He was elected to the Senate in 1999 as an upset candidate who was not endorsed by the Democratic Party. His district includes an ethnically diverse part of northern Cook County. He says if elected Senate president, his main goal would be to win back the trust of the public, work together and reform the way the caucus sets its priorities.

"We have to open the process. It hasn't been so kosher sometimes here, and we have to make it a little more kosher, so to speak."

With a new Senate president could come other changes the way the Senate operates.

Schoenberg is in the running and also says transparency is a priority. He proposes that caucus members not only elect their Senate president but that they also elect every person who holds a leadership position.

"That's the best approach to take because it would be the glue that would bind a very diverse caucus together by giving everyone a sense of ownership in whatever we achieve from the very start," he says. "I think that it would also provide an opportunity to have

more diverse voices heard, as well as to provide greater opportunities for more women to serve in leadership."

Schoenberg has served in the Senate since 1990 and is a suburban Chicago party leader. He also served six terms in the Illinois House. While in the Senate, he has sponsored three so-called hospital assessment plans, which attract billions of federal Medicaid dollars that are redistributed among hospitals that care for the neediest patients.

"That's something where you literally have to balance the economic and health care needs of nearly 200 hospital markets throughout the state," he says. "There are competing geographical and economic interests, and yet, we've been able to keep everyone laser-focused on getting the resources to where the needs are the greatest."

He has an independent streak, too, rooted in his survival of an ideological shift when the state redrew the legislative map.

"I ran against the party initially to win and then was reapportioned into a 36 percent Democratic district," he says. "Trust me, you sleep with your eyes open when fewer than four out of 10 voters call themselves Democrats. But it also challenged me to be more responsive and more innovative in my thinking."

The new Senate president could, in fact, mark a new era and a new generation of politician. The high expectations, however, collide with the need for internal remediation. Former Senate President Rock says that could require new party leaders to wring out the system of political campaigns, which, nationwide, have become too expensive and so mean-spirited that they forever taint relationships.

"They pull some dirty trick on some candidate, and the candidate then gets lucky enough to get elected and be sworn in, and now everything's supposed to be hunky-dory. Baloney. It never happens. These people carry a grudge on both sides of the aisle and both houses."

Egos also will have to be checked at the door of the caucus meetings to select their leader.

It will be trial by fire, Rock adds.

"It is not easy for a person who has

The new Senate president could, in fact, mark a new era and a new generation of politician. The high expectations, however, collide with the need for internal remediation.

Former Senate President [Philip] Rock says that could require new party leaders to wring out the system of political campaigns, which, nationwide have become too expensive and so mean-spirited that they forever taint relationships.

been elected in his or her own right to admit that somebody else in that room is your equal or your better and should be supported for the office of presiding officer."

On the other hand, if the selection process goes well, it could give rise to the rank-and-file legislator, says UIS political scientist Redfield.

For that to happen, legislators will have to change the chamber's work ethic from the bottom up. "The members are going to have to step up and use the power," he says, "or it'll just flow back to the leaders." □

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Roads to nowhere

Illinois hasn't cashed in on federal clout to collect its highway funds

by Daniel C. Vock

The signing of the federal government's 2005 transportation bill was practically a showcase of Illinois' political clout on Capitol Hill.

President George W. Bush chose a Caterpillar factory near Aurora to sign the \$286 billion legislative measure that dictates how the federal government would spend transportation money from 2005 through 2009. Greeting the president in the Chicago suburbs that August morning was nearly every major Illinois politician, from then-Speaker of the U.S. House Dennis Hastert to Gov. Rod Blagojevich to Chicago Mayor Richard Daley to U.S. Sens. Dick Durbin and Barack Obama.

Illinois' congressional delegation secured the largest chunk of guaranteed spending that the state had ever received, some \$1.5 billion. That's nearly a third more than the state's normal haul, according to the delegation.

The package is larded with goodies. For Hastert's area, there's the Prairie Pathway to connect Interstates 80 and 88 in the far southwest suburbs of Chicago. In the St. Louis area, the law would pay to build a new bridge between Illinois and Missouri over the Mississippi River. There are street improvements outside Chicago public housing projects, a transportation museum for Navy Pier and bike paths, bridges and wider roads throughout the state.

But what goes well in Washington, D.C., doesn't necessarily go well in Springfield.

It's been three years since Bush signed the federal law, but Illinois still hasn't passed a public works package to get the projects going. And state government has been operating without any type of major capital program since the end of the five-year Illinois First program that passed in 1999.

"We believe the federal government has provided Illinois with a strong start at funding infrastructure improvements, and we believe it is time for the state to act and not be left on the sidelines while another construction season is about to begin," urged nearly the entire Illinois congressional delegation in a letter to state leaders back in January. Despite the prodding, the construction season came and went, and Illinois is still no closer to a deal.

As of late September, only 5 percent of the transportation funds earmarked for Illinois in the 2005 law had been spent.

U.S. Rep. John Shimkus, a Republican from Collinsville, says the congressional delegation's bipartisan approach should be a model for Illinois lawmakers.

"There are partisan differences [in the delegation], but there are a lot of things that are good for Illinois where there is no separation between the two [parties], and this was one of them. So you think you'd be able to do the same thing in Springfield. I think it's an indictment on Democratic leadership in the state."

The money at issue is above and beyond the normal highway funding the

state receives from the federal government. Under the usual scheme, the federal government puts up \$4 for every \$1 a state pays, and a formula determines how much each state gets. Even without a capital bill, the Illinois Department of Transportation has largely been able to provide its share of the normal funding.

But earmarks are different. They're special pet projects championed by individual members of Congress, and the money set aside doesn't necessarily cover the entire cost of the project. The upside is the state can get money it wouldn't otherwise receive from the federal government. The downside is the state may have to pay more than the normal one-fifth share to get a project going.

Theoretically, there's no time limit for how long the state has to spend the federal dollars Congress set aside. But every year of inaction costs the state because the dollars won't stretch as far. Construction costs are up dramatically. Rising oil prices push up the cost of petroleum-based materials, such as asphalt. Transporting materials is getting more expensive, too. And increased demand from abroad, especially China, means the price of iron is increasing as well. The American Association of State Highway and Transportation Officers reported in June that the price of building roads has shot up at least 50 percent in the last five years.

From a political perspective, the inaction has a price, too. The Illinois representatives who fought for a bigger take of the transportation money on Capitol Hill will have a harder time getting a piece of the pie next time if they have nothing to show for their previous efforts.

Other states that put up their share of the construction costs for the federal projects will be able to argue that they will use the federal money more effectively. After the collapse of a major bridge over the Mississippi River in downtown Minneapolis last year, many states want to increase infrastructure spending to improve safety and boost their local economies. And congressional negotiations over transportation funds are coming soon; the next transportation bill is supposed to be passed next year.

U.S. Rep. Jerry Costello, a Democrat from Belleville and a 20-year veteran of the House who sits on the committee that crafts the transportation bill, says his colleagues on the panel are already asking questions about why Illinois hasn't spent its allotment. That's especially true because the money set aside for the Illinois-Missouri bridge was the most expensive earmark in the country.

"If we go into 2009 without a capital bill, it's going to be very difficult for me and others from our state to make the case that Illinois needs to receive a substantial amount of money in the next highway bill."

In a worst-case scenario, Congress could even take back unspent funds now designated for Illinois. The federal government's chief account for paying for road projects — funded with proceeds of the federal gas tax — nearly ran dry this fall; Congress had to divert \$8 billion to keep it afloat until next spring. While transportation money is scarce, it could be tempting for lawmakers to take back money that's not being used. Indeed, they have reclaimed unspent transportation money in the past.

Few people in Springfield doubt that Illinois needs a new public works program. But the political and financial obstacles standing in the way are significant.

The running feud between Blagojevich and fellow Democrat House Speaker Michael Madigan has

affected nearly every major policy initiative in the Capitol, and a capital bill is no exception.

Madigan's caucus is still smarting from Blagojevich's handling of last year's budget. The original agreement among legislative leaders included pet projects for lawmakers in each caucus. When the bill reached the governor's desk, he vetoed out funding for many of the so-called "pork projects," but he especially targeted money included by Madigan's caucus members.

But mistrust toward the governor is pervasive. Lawmakers remember how he put on hold construction projects and grants slated for their communities under Illinois First, the signature public works project crafted by Republican Gov. George Ryan in his first year as governor.

Legislators don't want to raise money for construction projects if there's no guarantee projects in their districts will be funded.

The question of how to pay for a major public works program presents problems, as well.

Clayton Harris III, executive director of the Illinois Works Coalition and Blagojevich's point person on forging the capital bill, says that in dozens of meetings with residents across the state, he found very little support for raising taxes to pay for construction projects.

Of course, Blagojevich has steadfastly opposed increasing the state's income or sales taxes. But for many of the state's residents, taxes are going up anyway. Last winter, state lawmakers approved an extra quarter-cent sales tax in the Chicago region to fund public transportation there, and Cook County — home to about 5.3 million of the state's 12.8 million residents — hiked its sales tax by a full percentage point in March.

So the governor revived two ideas that have fared poorly at the Statehouse before: leasing the state lottery and expanding gambling.

Blagojevich first suggested a \$34 billion package that relied on expanding gambling in the state, an idea that has been a nonstarter in the House. Madigan responded by putting forward a plan to ensure the state wouldn't lose out on any federal funding, but the size

of the measure — just \$1.8 billion — paled in comparison with Blagojevich's original proposal.

Since then, the sides have inched closer to an agreement but still remain miles apart.

The governor reduced the size of his wish list to \$25 billion. The House, in turn, approved a measure to allow Blagojevich to lease 80 percent of the Illinois Lottery in exchange for up to \$10 billion in cash up front. The governor has said he would devote the proceeds to capital projects and to education, where revenue from the lottery is currently directed.

But the economic crisis, particularly on Wall Street, could hamper the state's plans to privatize part of the lottery. Rep. Gary Hannig, the House Democrats' top budget negotiator, notes that the credit crisis — where banks are unwilling to lend money to even the creditworthiest borrowers because they need the cash on hand themselves — could jeopardize the leasing plan.

"You have to wonder: Who would have \$10 billion and would be willing to risk it?" asks Hannig.

Legislation to finance a new capital plan has faced economic obstacles during most of Blagojevich's tenure.

While Blagojevich has been in office, the state has endured two major downswings in the national economy, leaving limited resources for the state to spend on new construction. The governor assumed office in 2003, when Illinois was still reeling from the economic aftereffects of the September 2001 terrorist attacks, and state government suffered two years of decreasing revenue for the first time since World War II.

Still, proponents of the capital plan say the same bad economic news that lawmakers are fretting about is exactly the reason why the state must pass a "jobs bill." The Blagojevich administration estimated its original \$34 billion could create as many as 700,000 jobs (labor allies say the new, scaled-back version could still deliver 535,000 jobs).

The proposal would mean more school construction, more investment in public transportation (which has seen a

surge in ridership as gasoline prices climb), and more public dollars promoting state-of-the-art technology.

In fact, President Bush touted the potential economic benefits of the transportation bill during the signing ceremony in the Chicago suburbs.

"This bill is going to help modernize the highway system and improve quality of life for a lot of people. And these projects will require workers. Highways just don't happen; people have got to show up and do the work to refit a highway or build a bridge. And they need new equipment to do so. So the bill I'm signing is going to help give hundreds of thousands of Americans good-paying jobs," he said at the time.

Illinois business and labor groups have tried to reinforce that point as they've championed the economic benefits of a new capital plan.

Jason Keller, legislative director for the Illinois AFL-CIO, says the union coalition is most interested in the jobs a major new public works program would provide. The group has supported just about every major capital bill floated in the General Assembly, he says. Union members have turned out to support every one, he adds.

"From our point of view, the funding mechanism isn't as important as the spending," Keller says.

The building program is a "top priority," especially for building and trade unions, he says. "Unfortunately, there's only so many times you can bring them [union members] down to Springfield to hold a rally."

Still, advocates hope for a break in the impasse during the General Assembly's November veto session, following the elections.

Costello, the Democratic congressman, says both Madigan and Blagojevich could help spur passage of the capital bill. The governor could allay concerns about how the money would be spent by agreeing to spell out all the projects in the bill. And the House speaker could push his members to support funding for the new program, Costello suggests.

Harris, from the Illinois Works Coalition, says time is running out on lawmakers if they want to act in time for the 2009 construction season.

While transportation money is scarce, it could be tempting for lawmakers to take back money that's not being used. Indeed, they have reclaimed unspent transportation money in the past.

"Here we are in October, and we're not putting shovel to dirt because none of the projects are funded. In all honesty, if we don't get something relatively soon, we can lose next year, too," he says. That's especially true for bridge projects, which require more time to plan than highway building projects.

And indeed, there has been some progress, with the House's approval of a lottery lease and the governor's agreement to scale back his building plans. Blagojevich and Madigan even embraced at the August Democratic National Convention in Denver, after U.S. Rep. Jesse Jackson Jr., a Democrat from Chicago, called on the party to unite to honor Obama's message for unity as he campaigns for president.

Harris says he is encouraged by the progress. "I believe everyone's heart is in the same place. Everyone has the same goal. People are taking different roads to get to that final pact, and if we could just get everyone on the same road, it'll be good." □

Daniel C. Vock is reporter for Stateline.org, which is based in Washington, D.C.

Suffering suffrage

Voter ignorance breeds bad government, but it's an entrenched American tradition

by James Krohe Jr.

In 1870, Francis Willard, Evanston's gift to the nation's temperance and women's rights movements, told an audience in Springfield, "The idea that boys of 21 are fit to make laws for their mothers is an insult to everyone."

Plenty of her latter-day compatriots would amend Miss Willard's complaint. Is it not also an insult that Illinoisans who can't name the three branches of the federal government, or what the Bill of Rights is, are thought fit to make laws for their neighbors? Government and politics have not improved since the days of President Abraham Lincoln because the voting public has not improved. To be sure, it is more representative. That is usually reckoned to be a good thing for our politics, but it is a terrible thing for government. Measured by turnout, by knowledge about issues and candidates, by understanding of the government whose leaders they choose, today's voter is less equipped for self-government than were her ancestors who listened to campaign speeches delivered from the backs of wagons.

There is little reason on the face of things to think that a government by the people might be wise as

well as democratic. A library of studies has been amassed since the 1930s attesting that the biggest deficit facing the state and nation is the lack of knowledge about public issues. Politics and government remain as mysterious as string theory to a public whose major part cannot name either of the state's senators or any local congressional candidate, even during campaigns.

It is often assumed that state and local governments, being closer to the people, are better-known. In fact, the opposite is true. Everyone knows the name of the

U.S. president, but when residents in 17 communities in Cook, Kane and Lake counties were asked in 1997 to name their mayors, 59 percent couldn't do it.

Nor is it merely the names of local officeholders that people don't know. The basic structure of government — who collects which taxes and for what purposes — is a mystery, as well. Every new mayor in Illinois quickly gets used to being grilled by constituents about local schools or parks, even though in most towns, mayors have nothing to do with either. And the fact that a pollster



can phrase a public question in different ways and elicit diametrically different opinions from the same voter suggests that people's understanding of their own political convictions is as hazy as their understanding of facts.

Polls are only polls after all, and dire results need to be qualified. Ignorant does not mean impressionable, and inarticulateness is easy to mistake for ignorance. Still, it's easy enough to conclude that the problem with voter turnout is not that too few voters turn out but that too many do.

It has long been an item of progressive faith that education can fix all ills. The best voter, they insist, is one who knows the issues and can choose among the candidates, platforms and positions that best serve his or her interests. Jefferson argued for universal public education mainly because it promised to give the new republic better citizens, and "citizenship" education is being argued again in European nations that are attempting to integrate new immigrant populations. This country faces the same problem of inculcating knowledge about U.S. history and government in populations strange to those concepts — not its immigrants, mind, but its native-born — in an era in which U.S. state schools have almost wholly abandoned the role of tending to the state's own perpetuation.

For something supposedly so precious, the State of Illinois prices access to the ballot very cheaply. Anyone can vote in Illinois who lives here, is 18 and is a citizen of the United States. (Today the only adult Illinoisans who do not enjoy the vote are convicted criminals doing time and non-U.S. citizens.) The laws defining the qualifications to vote are not conditioned upon the competent exercise of the power thus conferred. One needn't be literate, much less informed.

Must a society — especially one as rudimentary as Illinois' — achieve equity at the expense of informedness? Competence was, at least officially, the rationale for limiting the franchise in the past. The state once barred from voting classes of people it deemed incapable of exercising it responsibly. For many years, the vote was denied to "idiots" and the "insane." The courts have properly held that such criteria are unconstitutionally vague. Insanity and idiocy are hard to define, especially in this context. More to the point, mentally challenged Illinoisans were barred from the booth because they could not know what they were voting for; indifferent or inattentive Illinoisans who choose not to know are just as ignorant. To allow the latter to vote while barring the former was unjust. Put another way, ignorance

is indistinguishable in its effects from incapacity, and we let the ignorant help pick governors.

Indeed, women and African Americans were long banned from polls because they were assumed to lack the mental acuity needed to make the subtle distinctions between Crook A and Liar B needed of an Illinois voter. The same was true of under-21s because they were assumed to be immature and lacked worldly experience.

As was the case with people suffering mental insufficiency, restrictions based on gender or color were abandoned. Those conditions were scrapped not because the criteria were wrong in principle, but because they were arbitrary or could not be fairly enforced or — later wisdom concluded — were mistaken in their assumptions of incapacity.

Could it not be arranged that actual competence, as determined by examination, might replace presumed competence based on social class, color or sex? The state does not let people drive cars who don't know what a traffic light is, nor does it allow physicians who don't know what the liver is for to treat patients. If a parent performs his or her duties incompetently, the state will take the kid away. Yet no penalty is imposed on voters who elect a candidate who

swears he can deliver \$15 billion worth of services for \$10 billion worth of taxes.

Does it matter? The threat that the incompetent driver poses to his fellow Illinoisans is quite high. Barring the practically unprecedented situation of a tie vote in a major election, an ignorant — or irresponsible or deluded — voter has very little effect on his fellows. Good government enthusiasts shrink from it, but a great many ordinary Illinois voters have also realized that their vote doesn't count. Since learning more about politicians and



government offers few benefits but costs them substantially in time and effort, many citizens sensibly choose to remain knowingly unknowing.

Some thinkers insist that even such voters in aggregate do not compromise the intelligence of the final result. "Ignorant voters choose randomly," explains Bryan Caplan in *The Myth of the Rational Voter*, "so with a reasonably large electorate, they balance each other out, leaving the well-informed in the driver's seat." Alas, that works only if ignorance is evenly distributed across the political spectrum, which it is not. The mistakes of ignorant voters seldom cancel each other out since voting groups share systematic biases that make their votes far from matters of chance.

Others argue the results illustrate that voter ignorance is no menace to self-government. "Despite their relative uninformed state, Americans have over time picked some extraordinary leaders," wrote Frank James recently in the *Chicago Tribune's* political blog, The Swamp. "Jefferson, Lincoln, the Roosevelts, Kennedy, Reagan." James added that politically ignorant Americans also had picked Millard Fillmore, James Buchanan and Warren Harding, too. In short, the odds of voters putting the right person into the White House are not much better than chance; we could save a lot of fuss and bother and just flip a coin.

Whatever its appeal in the abstract, making a voter competence test work in the all-too-real world of Illinois would be difficult. One can imagine the wrangling that would ensue over the contents of such a test. Advocates of one stripe or another would see political or cultural bias in every comma. Deciding the actual questions to be put to the would-be elector would test a Solomon. Should a would-be voter be expected to be able to tell the difference between the economic programs of the Democratic and Republican parties, when even the Democratic and Republican parties can't do it? It seems likely that a voter qualification test would end up like our school competency tests in being made practically fail-proof.

One class of Illinoisan already must pass a test before being allowed to vote. Non-natives are tested on their

Whatever its appeal in the abstract, making a voter competence test work in the all-too-real world of Illinois would be difficult.

knowledge of basic government before being granted citizenship and the vote. True, the citizenship exam is rudimentary, with too many questions about such arcana as the number of constitutional amendments. But new citizens must show (to pick one example) that they know who in Washington, D.C., has the power to declare war, which even some recent presidents do not know.

Most people would probably conclude that imposing an "Are You Smarter Than an Immigrant" test on the native-born might be a good idea, but that it would improve the voter at the expense of a principle. Others will note that the preference for informedness is itself a culture-specific value, and that imposing it on all Illinoisans would be unfair at best and liberal at worst.

Probably the best argument against imposing a competency requirement on voters was based on political equity. It was advanced in 1970, in a not too-different context, by Nebraska's then-U.S. Sen. Roman Hruska. President Richard Nixon had nominated Republican G. Harrold Carswell for the Supreme Court. In defense against charges that Carswell was "mediocre," Hruska stated: "Even if he is mediocre, there are a lot of mediocre judges and people and lawyers. They are entitled to a little representation, aren't they?"

The real fault in making informedness a test for the franchise is that it is misconceived. Knowing what's what may be crucial to good government, but it means less and less in U.S. politics. Ilya Somin, assistant professor of law at George Mason University School of Law, recently observed that "inadequate voter knowledge prevents government from reflecting the will of the people in any meaningful way." We know that because voters so often demand policies that contravene their own interests. In the 1980s, the working class voted to

back Ronald Reagan, whose anti-tax and anti-regulation policies arguably overwhelmingly harmed the blue-collar workforce. The usual liberal analysis is that the working class didn't realize Reagan was their class enemy. The fact was that social issues — guns, prayer, welfare — mattered more to most of those voters than bread-and-butter issues. At least since the days of Nixon — whom *The Economist* called a master of the politics of cultural resentment — the politics of culture has trumped the politics of economics in this country.

According to the progressive orthodoxy, informed voters know which of the available policy options are most likely to advance their goals, and they vote accordingly. In fact, voters increasingly back policies not out of hope for tangible reward but out of symbolic "position taking." Indulging position-taking — acting out of beliefs, convictions and prejudices rather than economic calculation — in the voting booth costs nothing, and it makes people feel good to smite their foes.

What motivates people to vote this way or that, or indeed to vote at all, is not their knowledge about issues but their feelings (or ideology, which is feeling dressed up in ideas). Those on the left know all they need to know to vote, which is that the right knows nothing about the world; those on the right know all they need to know, which is that the left doesn't know anything about America. Facts may be crucial to good government, but they matter less and less to our politics. And a politics of emotion is by nature beyond reach of information to remedy. □

James Krohe Jr. is a frequent commentator on public policy for Illinois Issues.

For further reading

The American Voter Revisited by Michael S. Lewis-Beck and others. University of Michigan Press, 2008

Just How Stupid Are We? Facing the Truth About the American Voter by Rick Shenkman. Basic Books, 2008

The Myth of the Rational Voter: Why Democracies Choose Bad Policies by Bryan Caplan. Princeton University Press, 2007

Showdown over guns

States and local governments are left to interpret a new ruling

by Robert Loerzel

Ever since the Founding Fathers wrote the Second Amendment, Americans have argued about what it means. Does it give every citizen the right to own guns? Or is it just about the need for a militia?

Illinois has often been at the front line of the national battle over gun rights — and now it is once again. The National Rifle Association and the Illinois State Rifle Association are aiming to shoot down laws that prohibit handguns in Chicago and Oak Park.

On June 26, the U.S. Supreme Court ruled that a handgun ban in the city of Washington, D.C., was unconstitutional. After hearing the news, Chicago Mayor Richard M. Daley told reporters, “Does this lead to everyone having a gun in our society? If (the justices) think that’s the answer, then they’re greatly mistaken. Then why don’t we do away with the court system and go back to the Old West? You have a gun and I have a gun, and we’ll settle it in the streets?”

But gun-rights advocates in Illinois were ecstatic. “After 40 years of getting beat up, it felt good to be vindicated,” says Richard Pearson of Chatsworth, executive director of the Illinois State Rifle Association. On the same day that the Supreme Court announced its ruling, Pearson’s group joined with the Second Amendment Foundation and four Chicago residents in a federal lawsuit against Chicago. Now, the question is whether the Washington, D.C., ruling applies to state and local governments such as Chicago.

“I don’t intend on insulting Mayor Daley or anybody in this matter,” says Otis McDonald, one of the Chicago residents suing the city. “I’m not trying to buck City Hall or anything. I’m trying to defend the Second Amendment and the rights of man to defend himself. I will not be intimidated by the law — or the gang-bangers.”

McDonald, a 74-year-old retiree, says gang violence is getting worse in Morgan Park, the south side neighborhood where he lives. “I hear them shooting all the time, and I call the police,” he says.

Recently, some gang members stopped him as he was driving his truck, McDonald says. “I knew they had guns. They were cursing me and calling me ‘old graybeard.’ They said they could put me down.” McDonald fears that criminals may break into his home someday. “I want to be able to protect myself and my wife,” he says.

The courts will now decide if the Second Amendment gives McDonald the right to keep a handgun in his house. In addition to McDonald’s case, the NRA filed separate lawsuits challenging handgun laws in Chicago and the suburban communities of Oak Park, Morton Grove and Evanston.

In 1981, Morton Grove became the nation’s first municipality to outlaw handguns. But this summer, facing the NRA lawsuit, the Morton Grove Village Board voted to repeal the ordinance. In retrospect, Village President Joe Wade says the ban did not have much effect on

safety in Morton Grove. “It was a quiet town before the ordinance and a quiet town after the ordinance,” he says.

The NRA is dropping its case against Morton Grove, but what will happen with the Evanston case is less certain. Evanston amended its handgun ban, but it did not scrap the law altogether. Under the revised ordinance, “you can’t have a handgun except in the home for purposes of self-protection,” says Evanston corporation counsel Jack Siegel. That brings Evanston in line with the Supreme Court ruling, Siegel says, but the NRA still objects.

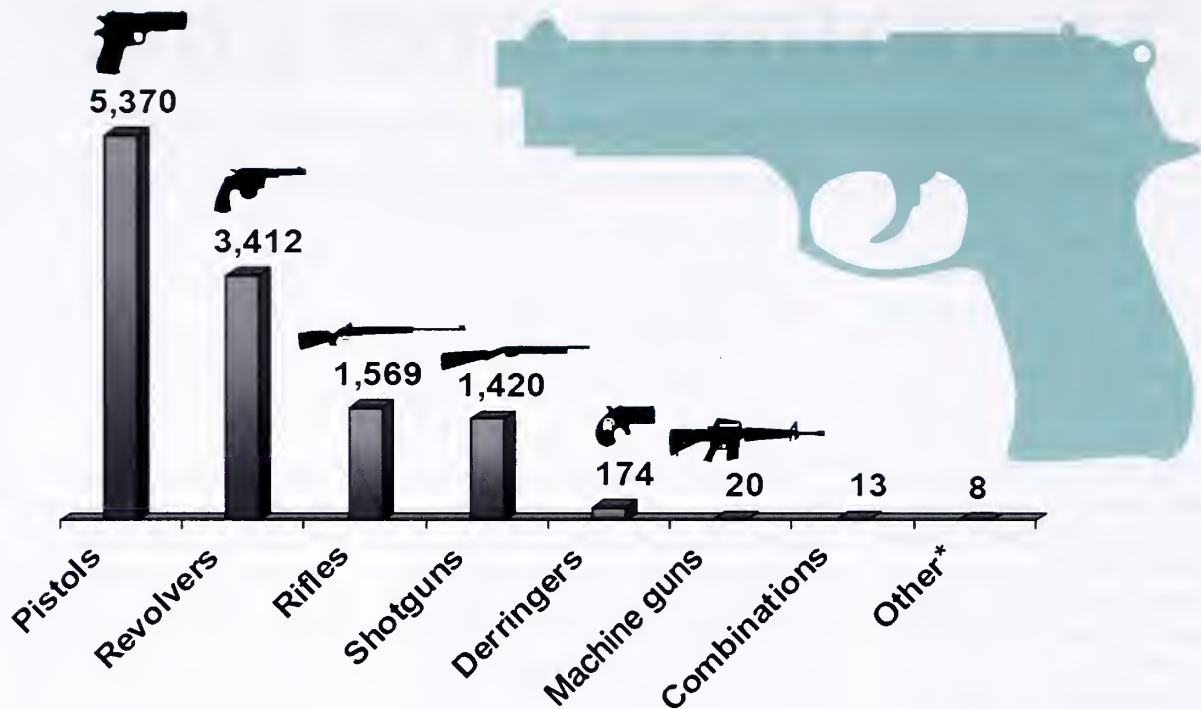
Another suburb with a handgun ban, Wilmette, repealed its law. “We didn’t think our ordinance would stand,” says Village President Christopher Canning, adding that the change won’t have much effect on life in Wilmette. “Is it going to turn into the Wild West because you no longer have a gun ordinance? The answer is absolutely not. The handgun ordinance had been largely symbolic.”

But officials in neighboring Winnetka, where Laurie Dann went on a shooting rampage at a school two decades ago, have decided to keep their ban in place for the time being, despite concerns that they’ll be sued. “So far, we’ve said the principle is worth defending,” Winnetka Village President Edmund Woodbury says. “But there’s a practical side. How much money is behind the principle?”

Meanwhile, Chicago and Oak Park officials are defending their handgun bans in court.

Firearm types recovered in Illinois

January 1, 2007 – December 31, 2007



*Other includes destructive devices, unknown types, silencers, and any other weapon.

Bureau of Alcohol, Tobacco, Firearms and Explosives, Office of Strategic Intelligence and Information

Until now, the biggest question about the Second Amendment was exactly what the framers were trying to say when they wrote these words: "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

Justice Antonin Scalia answered that question this summer in the Supreme Court's 5-4 decision. "There seems to us no doubt, on the basis of both text and history, that the Second Amendment conferred an individual right to keep and bear arms," Scalia wrote in the majority opinion. Many people may disagree with Scalia, but what he says is now the law of the land — at least, it is for Washington, D.C.

But does the Second Amendment apply to state and local governments? The District of Columbia is a federal entity, so the Supreme Court sidestepped that question.

The key is the Fourteenth Amendment, which was ratified in 1868 to guarantee the rights of former slaves. Gun-rights groups say the Fourteenth Amendment extends the Second Amendment to cover state governments. "It would be a pretty hollow freedom if states and local government can trample all over this issue," says David Sigale, a Lisle attorney representing the Illinois State Rifle Association.

But the Fourteenth Amendment has a complicated legal history. During the Reconstruction Era, the Supreme Court limited the freedoms that the Fourteenth Amendment extended to the states. In later rulings, the Supreme Court gradually reversed course, "incorporating" some parts of the Bill of Rights as freedoms that the states cannot infringe. But the court has never answered the question of whether the Second Amendment should be incorporated in this way. "Quite simply, the issue has never come up," Sigale says.

In a brief filed earlier this year in the Washington, D.C. case, Chicago corporation counsel Mara Georges argued that the Second Amendment stops the federal government from disarming state militias. But it doesn't say anything about whether the states can restrict their citizens from owning guns, she wrote. The Second Amendment leaves that decision up to the states, and the Fourteenth Amendment did not change that, Georges argued.

"It is wrong to assume, simply because it's a Constitutional right, that it applies to the states or that it applies to the states in the exact same form," says Michael Forti, deputy corporation counsel for the city of Chicago. "There are no plans to change our ordinance unless there are rulings that require it. The mayor is very serious about stemming excessive gun violence in the city."

Even if the courts overturn local handgun bans, some wonder how much

If the courts decide that the Second Amendment applies to states, the next question is: Which gun laws are constitutional?

difference it will make in crime rates. In a 2004 study, Steven Levitt, an economics professor at the University of Chicago and co-author of the best-selling book *Freakonomics*, found no link between gun laws and murder rates. Crime dropped just about everywhere in the 1990s, regardless of what local gun laws were in place, and Chicago's murder rate actually fell after averages had begun dropping in other cities, he noted.

"I do not believe there is much evidence that handgun bans work," Levitt says. "What I do think can work are stiff, mandatory punishments for illegal gun carrying. ... We should be punishing criminal behavior, not [gun] ownership per se."

If the courts decide that the Second Amendment applies to the states, the next question is: Which gun laws are constitutional? Scalia ruled that D.C. residents have the right to defend themselves in their homes with handguns, but he also said there are limits on the right to bear arms.

Scalia listed several kinds of gun laws that could be constitutional: prohibiting felons and the mentally ill from owning guns, forbidding guns in schools, regulating gun sales and restricting short-barreled shotguns and other "weapons not typically possessed by law-abiding citizens for lawful purposes."

Would that description include semiautomatic assault weapons, which the federal government banned from 1994 until 2004? Cook County has a local ordinance banning assault weapons and high-capacity ammunition clips,

which the Illinois State Rifle Association is challenging with another lawsuit.

Tom Mannard, executive director of the Illinois Council Against Handgun Violence, says he believes that all of the gun laws in Illinois are constitutional, but he is concerned that the Supreme Court ruling might scare some legislators into becoming overly cautious on voting for new gun limits. "The reality is that the Heller decision left things very open as far as the potential for further regulations," he says.

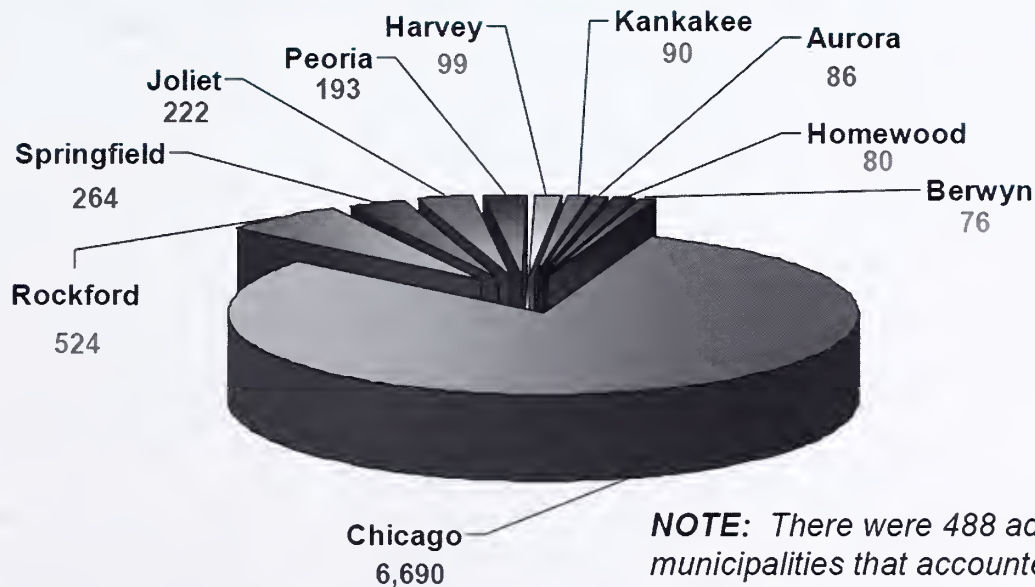
The *District of Columbia v. Heller* ruling could embolden the rifle association to challenge some of the state's gun statutes, Pearson says, but he acknowledges that most of those laws are probably constitutional.

Stephen Halbrook, a Fairfax, Va., attorney representing the NRA in its lawsuit against Chicago, says the gun lobby does not oppose all laws regulating guns. "Our goal is that Americans should have the right to own ordinary firearms," he says. "This is not a case about bazookas or jet air fighters." □

Robert Loerzel is a Chicago-based free-lance writer.

Top Illinois cities for firearm recovery

January 1, 2007 – December 31, 2007



NOTE: There were 488 additional municipalities that accounted for 3,651 other traces. The recovery city could not be determined for 11 traces.

Bureau of Alcohol, Tobacco, Firearms and Explosives, Office of Strategic Intelligence and Information

Illinois gun laws

The right to bear arms has been a hot topic in Illinois since the 1870s, an era of intense labor strife. After violent strikes and riots broke out in Chicago, East St. Louis, Braidwood and other Illinois cities in 1877, Gov. Shelby Cullom called for a better-funded state militia to protect property and lives against the mobs. In 1879, Cullom signed a bill reorganizing the Illinois National Guard, including a ban on private militia groups.

Socialists complained that they were being excluded from the state's pro-business militia. On September 24, 1879, Herman Presser rode a horse through the streets of Chicago, wielding a cavalry sword and leading a parade of 40 socialists armed with rifles. Presser was convicted of violating the law against unauthorized militias. Facing a \$10 fine, Presser appealed his case all the way to the U.S. Supreme Court.

In 1886, the high court affirmed Presser's conviction. Illinois could outlaw private militias if it wanted to, Justice William Woods ruled. And he added that the Second Amendment was a federal law that did not apply to state governments. In 1881, Illinois added its own law against carrying concealed weapons. The state also required gun merchants to write down a description of every weapon they sold and the name of the person buying it — along with the person's "purpose" for wanting it.

In the 1920s, Chicago's mob murders made national headlines — as did the warfare between bootleggers in "Bloody Williamson County." The National Crime Commission called for a ban on machine guns in 1927. Two years later, seven Chicago gangsters were executed with machine guns in the St. Valentine's Day Massacre, sparking more public outrage. But when Illinois legislators passed a bill outlawing machine guns that summer, Gov. Louis Emmerson vetoed it, saying that the mob would use machine guns whether or not they were legal.

In 1934, Congress passed the National Firearms Act. The law did not completely ban machine guns, short-

barreled shotguns, silencers and other "destructive devices," but it did tax them and impose strict registration requirements. In 1939, the Supreme Court upheld the National Firearms Act, ruling that the government could ban short-barreled shotguns.

The gun debate flared again in the 1960s, a time of political assassinations, race riots and high urban crime rates. In 1967, Chicago Mayor Richard J. Daley pushed a bill in Springfield to require a license for every gun. The gun lobby opposed Daley's bill, and it went down to defeat.

Majority Leader Sen. W. Russell Arrington, an Evanston Republican, proposed his own plan — registering gun owners instead of the guns themselves. One Democrat called Arrington's bill "a product of the National Rifle Association," but lawmakers approved it by a lopsided margin, creating the Firearm Owner's Identification Card, a law that is still unique to Illinois. Daley wasn't satisfied, however, and he introduced a plan to register every firearm in Chicago, which the City Council approved in 1968.

At the Illinois Constitutional Convention in 1970, delegate Leonard Foster introduced the provision on firearms that would become part of the new constitution: "Subject only to the police power, the right of the individual citizen to keep and bear arms shall not be infringed." Foster explained that this article "would prevent a complete ban on all guns, but there could be a ban on certain categories."

In early 1981, gunfire claimed 11 lives at the Cabrini-Green housing project, competing for headlines with the killing of musician John Lennon and the attempted assassination of President Ronald Reagan. Chicago Mayor Jane Byrne called for handgun restrictions.

That spring, Geoffrey La Gioia asked the Morton Grove Village Board for permission to open a sporting-goods store that would sell firearms. After rejecting La Gioia's request, the village trustees voted on June 8 to pass the nation's first ban on handguns. Victor Quilici, an attorney who lived in Morton Grove,

sued the village, claiming his Second Amendment rights were being violated.

After a federal judge upheld Morton Grove's law, Byrne proposed a gun law for Chicago. The City Council approved her ordinance on March 19, 1982, grandfathering in all existing handguns (as long as Chicagoans renewed their registration once a year) but outlawing all new handguns. It was the same approach that the city of Washington, D.C., had taken with a 1976 law.

The U.S. Court of Appeals upheld Morton Grove's law in a 2-1 ruling on Dec. 6, 1982. "There is no right under the Illinois Constitution to possess a handgun," Judge William J. Bauer said, writing for the majority. But what about the U.S. Constitution? Bauer said that question was irrelevant, since the 1886 Presser case had determined that the Second Amendment did not apply to state and local governments.

The U.S. Supreme Court declined to hear Quilici's appeal. Another lawsuit against Morton Grove, filed by Michael Kalodimos, reached the Illinois Supreme Court, which ruled 4-3 in favor of the handgun ban on Oct. 19, 1984. Writing for the majority, Justice Seymour Simon said a complete ban on all firearms would violate the Illinois Constitution, but a ban on handguns was reasonable.

Over the next few years, the suburbs of Evanston, Oak Park, Wilmette and Winnetka passed laws similar to Morton Grove's handgun ban. Other Illinois communities considered the idea and rejected it.

The legal landscape for local gun laws did not change until 2003, when Hale DeMar shot and wounded an intruder at his home in Wilmette. After police charged DeMar with violating the village's handgun ban, the General Assembly passed a law making it more difficult to prosecute people who use guns to defend themselves in their own homes — even if they do it in a municipality where handguns are illegal.

And then came this summer's Supreme Court decision nullifying the handgun law for Washington, D.C., beginning a new chapter in the history of gun rights.

Robert Loerzel

APPOINTMENT**U of I grad to divvy up \$700 billion rescue plan**

Neel Kashkari, a top adviser to U.S. Treasury Secretary Henry Paulson Jr., has been named to head the Treasury Department's Office of Financial Stability, which will oversee the spending of the \$700 billion economic rescue plan passed by Congress in early October.

Kashkari is a graduate of the University of Illinois at Urbana-Champaign, where he received bachelor's and master's degrees in engineering. After receiving a master's of business administration in finance from the University of Pennsylvania's Wharton School, he joined the investment bank of Goldman Sachs, where Paulson was chairman and chief executive officer.

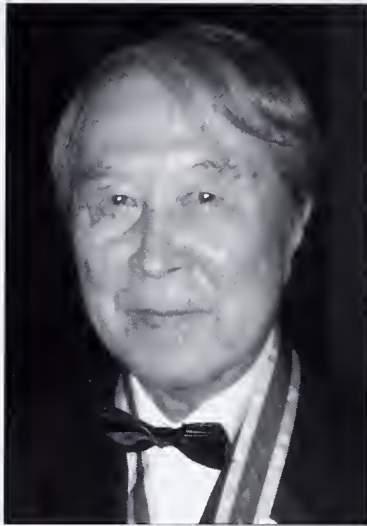
Before joining the world of finance, Kashkari was a NASA scientist, developing technology for such projects as the James Webb Space Telescope, the replacement for the Hubble telescope.

The appointment is expected to be on an interim basis because a permanent appointment takes Senate confirmation, and there is little time left in the Bush administration and the current Congress.

People on the move

• **Tom Jennings** advanced from acting director to director of the Illinois Department of Agriculture. The Springfield native is a 30-year veteran of the industry and still farms crops and raises cattle and horses in Sangamon County (see *Illinois Issues*, April, page 34). He joined the state agency as a grain warehouse examiner in 1978 and served in numerous positions until replacing former director **Charles "Chuck" Hartke** in April. Now Jennings oversees efforts to ensure food safety and inspections, protect against the emerald ash borer, regulate pesticides and markets and promote Illinois agriculture.

• **Sheila Nix**, former deputy governor for Gov. Rod Blagojevich, was named to the Chicago Transit Board, which oversees the city's regional mass transit (see *Illinois Issues*, July/August, page 35). She was instrumental in the governor's initiative to offer free mass transit rides to senior citizens that took effect this

HONORS**U of C professor wins Nobel Prize**

Yoichiro Nambu

Yoichiro Nambu, an emeritus professor at the University of Chicago and scientist at Fermilab, received the Nobel Prize in Physics, the Royal Swedish Academy of Sciences announced.

The prize was given for "the discovery of the mechanism of spontaneous broken symmetry in subatomic physics," according to the prize citation. The university describes Nambu as "one of the leading figures in the development of modern particle physics."

The 87-year-old was born in Japan and has worked at the the University of Chicago since 1954. He became a U.S. citizen in 1970.

According to the university, "Nambu has revolutionized modern scientific ideas about the nature of the most fundamental particles and the space through which they move." Nambu's theories "form an essential cornerstone of what

physicists call the Standard Model, which explains in a unified way three of the four fundamental forces of nature: strong, weak and electromagnetic."

Nambu received half of the \$1.4 million prize. The other half was awarded to a pair of Japanese scientists, Makoto Kobayashi and Toshihide Maskawa.

Other awards Nambu has received include the National Medal of Science, the Dannie Heineman Prize for Mathematical Physics, the J. Robert Oppenheimer Prize, the Order of Culture from the government of Japan and the Wolf Prize, which is presented by the Israel-based Wolf Foundation and awarded annually in the fields of agriculture, physics, chemistry, medicine, mathematics and the arts.

He is the 82nd U of C faculty member to be awarded a Nobel Prize.

year. Her appointment is contingent on Senate approval.

• **Jerome Butler** advanced to assistant secretary of operations of the Illinois Department of Human Services. As chief operating officer since 2003, he has overseen the agency's business contracts and pharmaceutical deliveries. Now as one of two assistant secretaries, he is in charge of that and other operations divisions. Grace Hou is the other assistant secretary and oversees programs.

Butler earned his bachelor's degree in business administration from Fisk University in Tennessee and his law degree from Columbia University in New York.

Before joining state government, he was vice president, general counsel and chief operating officer of Sengstacke Enterprises, former owner of the *Chicago Defender*, the African-American-owned daily newspaper. He previously provided legal counsel for the Chicago Housing Authority and the Chicago Transit Authority.

• **Brian McPartlin** resigned as director of the Illinois State Toll Highway Authority to take a job with McDonough Associates, a Chicago-based engineering and architectural firm that holds state contracts.

The Chicago-based Campaign for Political Reform describes the firm as a "major Tollway contractor," citing its more than \$20 million in state business this fiscal year, which started July 1.

McPartlin served as director since 2006 and resigned in late September. In line with state ethics law, he filed a waiver from the so-called revolving door prohibition with the Illinois Executive Ethics Commission, which has no deadline to accept or reject such requests. The commission's monthly meeting where it reviews requests wasn't scheduled until after press time.

The commission has granted eight waivers and denied two since it was formed in 2004, according to its executive director, Chad Fornoff.

One step at a time

Kurt Friedenauer describes himself as an eternal optimist who is a realist at the same time.

He's the director of the relatively new Illinois Department of Juvenile Justice and says that even during tough times, he knows that his job and the entire profession can help hundreds of thousands of youth escape the cycle of imprisonment.

"Kids can change. Most of them can change. Many of them want to change," he says. "But they've got to be given a legitimate pathway and skills to do that."

But before troubled youth can gain an education, learn vocational skills and appropriately resolve conflicts, Friedenauer's agency must develop the staff and reshape the philosophy of how best to teach those skills.

However, state budget cuts have prevented the department from implementing a program that could help change the culture that led to the formation of the new agency.



Kurt Friedenauer

Friedenauer, who has led the department as interim director since 2006, says the decision to create a separate agency for juvenile offenders was based on the fact that the juvenile division had begun to too closely mirror an adult corrections philosophy. There had to be a shift in focus to emphasize development "rather than just putting them in an isolation cell and letting them languish for days on end, which is counterproductive," he says.

So far, he cites progress in reducing the focus on confinement. Under his watch from September 2006 to September 2007, the system has reduced the average time a youth offender spends in jail from nine days to less than four.

Friedenauer also highlights programs designed to help the youths remain in their communities or, at least, return home sooner to receive treatment. Aftercare, for instance, combines state services from multiple agencies and community-based services that can help youths transition from the juvenile justice system.

But the program hasn't started yet because the department lacks staffing and resources to implement the model that's already prepared, Friedenauer says. He

describes the initiative as the No. 1 goal the department needs to achieve to move all the other initiatives along.

"Certainly, that will be our priority again next fiscal year."

The agency receives about \$2 million to help juveniles access community services that partner with the state, but \$8 million dedicated for the Aftercare program has been stripped from the state budget for two consecutive years.

Friedenauer has been with the state since 2004, when he started as deputy director of the Illinois Department of Corrections' former juvenile division.

Before joining state government, he was vice president of adolescent substance abuse treatment services at Rosecrance Health Network in Rockford from 2001 to 2004.

He arrived from Florida, where he had been assistant secretary of probation and community corrections. He credits Florida's system with providing examples of training programs that he brought back to Illinois to teach staff ways to de-escalate scenarios when teens get aggressive.

Bethany Jaeger

For updated news see the *Illinois Issues* Web site at <http://illinoisissues.uis.edu>

Female firsts

November marks a historical month in Illinois for everything from Abraham Lincoln's Gettysburg Address in 1863 to the first voter-approved bond issue for statewide road construction in 1918. But women, in particular, have accumulated many firsts, starting with elections each year. The following information is compiled from the state's Legislative Research Unit and the Conference of Women Legislators:

- **Lottie Holman O'Neil** became the first woman elected to the Illinois General Assembly in 1922, two years after women gained the right to vote. She served in the House and Senate for 40 years.

- **Florence Fifer Bohrer** became the first woman elected to the Illinois Senate in 1924.

- **Floy Clements** was elected Illinois' first African-American female legislator in 1958, serving in the House from 1959-61.

- **Cardiss Collins** became the first African-American woman elected to the U.S. House in 1973, serving until 1997.

- **Celeste Stiehl** became the first female to serve as assistant majority leader in 1975.

- **Earlean Collins** became the first African-American woman elected to the Illinois Senate in 1977, serving until 1999.

- The late **Adeline Geo-Karis** of Zion became the first woman to serve as assistant majority leader in the state Senate in 1985.

- **Dawn Clark Netsch** of Chicago became the first female elected to a constitutional office as comptroller in 1990. She became the first female nominated for governor by a major political party in 1994.

- **Carol Moseley Braun** of Chicago, former majority leader in the Illinois House, became the first black woman elected to the U.S. Senate in 1992. She served until 1999.

- **Judy Baar Topinka** became the first woman treasurer in 1994 and the first to serve three terms in statewide office.

- State Rep. **Barbara Flynn Currie** of Chicago became the first woman to serve as House majority leader in 1997, a position in which she still serves.

- **Sonia Silva** became the first Latina to be elected to the Illinois House in 1997.

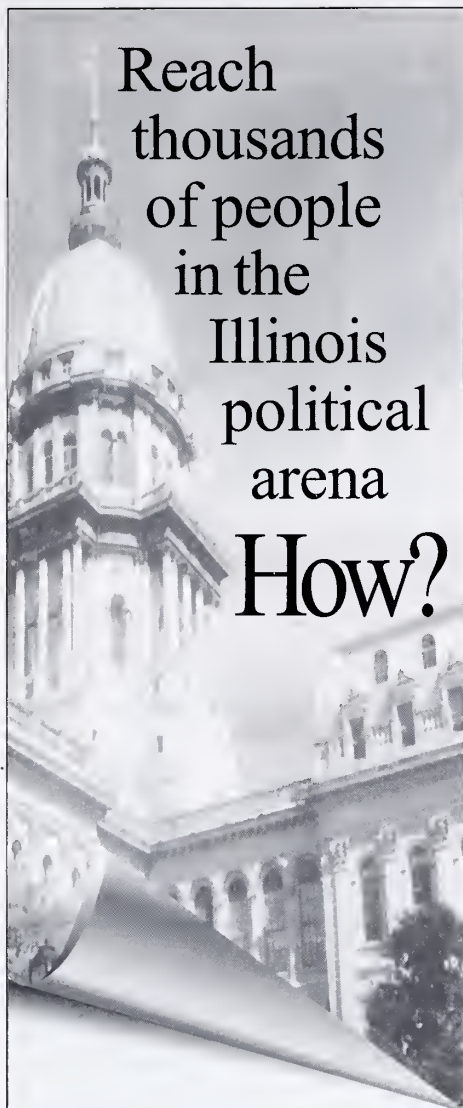
- **Corinne Wood** became the first female lieutenant governor in 1999.

- **Lisa Madigan** became Illinois' first female attorney general in 2003 and still serves in that role.

- Sen. **Iris Martinez** of Chicago became the first Latina elected to the Illinois Senate in 2003.

- **Debbie DeFrancesco Halvorson** became the first female Democrat to serve as Senate majority leader in 2005.

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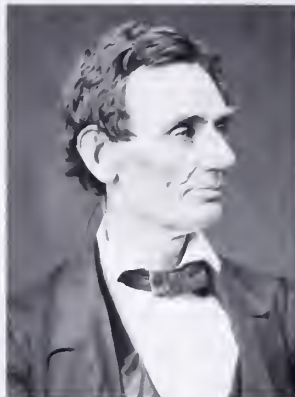
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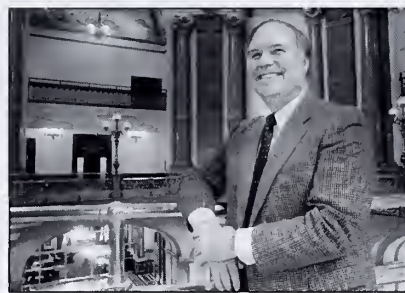
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Charles N. Wheeler III



Illinois, like states across the nation, faces a tight revenue squeeze

by Charles N. Wheeler III

A few weeks ago, Congress and the George W. Bush administration cobbled together a \$700 billion rescue plan for Wall Street, in hopes of avoiding economic catastrophe for Main Street.

Too bad the plan's architects didn't worry about Capitol Avenue and Statehouse Square as well, as state governments from California to Rhode Island struggle with sagging revenue growth that is jeopardizing their ability to provide needed services.

Noted Stateline.org, a nonprofit, nonpartisan online news site last month:

"The financial crisis has deepened in many state capitals with tight credit markets and new, pessimistic budget figures that pose the biggest threat to states' fiscal health in 25 years. Grim-faced state officials, seeing reports from the first three months of the budget year that began July 1 for all but four states, are bracing for further declines in tax revenue because of the housing slump, rising unemployment and a slowdown in consumer spending."

The budget crunch has forced states from coast to coast to lay off workers, freeze contracts, reduce program spending and postpone bond issues for needed projects, Stateline reported.

Illinois, too, is gripped tightly by the current revenue squeeze. Consider:

- Overall base revenues to the state's basic checking account were down \$38

While such grim news largely reflects the national economic meltdown, Illinois' fiscal problems are deeper and more longstanding, the inevitable consequence of budget and fiscal policies that habitually have the state living beyond its means.

million for the first three months of the fiscal year, reported the Commission on Government Forecasting and Accountability, the legislature's forecasting arm. While income and sales taxes posted "modest rates of growth" over the comparable first quarter of FY 2008, the take from riverboat gaming and from the lottery was off a combined \$55 million, federal aid was down \$57 million, and investment interest dipped \$31 million. The figures "paint a less than rosy revenue picture," the commission concluded.

- At the end of September, the state's general funds cash position was weaker

than ever before at this point in a fiscal year, state Comptroller Daniel Hynes said. More than 100,000 unpaid bills — totaling more than \$1.8 billion — were being held in his office for lack of cash to pay them, an increase of \$430 million from the backlog a year ago. Health care providers and other vendors were waiting 42 working days — more than eight weeks — for payment, also a record for the first three months of a fiscal year.

- Income and sales tax collections could come in as much as \$200 million below current projections, the Illinois Department of Revenue warned. The unusual pronouncement — the agency almost never issues such projections — came as lawmakers prepared to restore \$221 million to avert layoffs and cuts in human service programs and to keep open almost two dozen state parks and historic sites slated for closure. Gov. Rod Blagojevich had pared them from the budget in July.

While such grim news largely reflects the national economic meltdown, Illinois' fiscal problems are deeper and more longstanding, the inevitable consequence of budget and fiscal policies that habitually have the state living beyond its means.

For example, when fiscal year 2008 ended on June 30, the state had \$141 million in general funds in the bank, \$500 million less than a year earlier. At the

same time, \$975 million of outstanding bills remained to be paid, roughly \$200 million more than the prior year. The result? An \$834 million budgetary deficit, \$700 million higher than FY 2007 and the largest gap between year-end cash balance and outstanding bills since 2003. So the first \$800 million-plus in current revenues went to pay last year's bills.

Indeed, not since FY 2001 has the state had enough money on hand to cover outstanding bills — that's seven straight budgetary deficits, with an eighth a sure bet for FY 2009.

"Illinois' deficit is not just a one-time aberration resulting from unforeseen economic conditions or the actions of any one administration or legislature," noted the Center for Tax and Budget Accountability, a nonpartisan, nonprofit think tank. Instead, the problem lies with "a revenue system that has not grown with the economy for decades, even though the cost of providing services has."

The picture is even bleaker when one considers the unorthodox steps taken in recent years by the governor and

lawmakers to boost general funds spending without raising income or sales taxes. Instead, they've used one-time windfalls to bankroll ongoing programs and pushed current costs into future years. From FY 2003 through FY 2007, such "unsound fiscal tactics" covered almost \$13 billion in spending, according to the center's calculations, including \$4.9 billion in deferred Medicaid payments, \$2.3 billion shifted from pension funding and \$1.8 billion siphoned from accounts earmarked for specific programs, not general government costs.

Such tactics "have allowed the state to maintain public service levels that it does not have the fiscal capacity to afford," said a center analysis. "Utilization of these stratagems merely masks the inability of the state's tax system to generate the revenue necessary to support ongoing services."

So how does Illinois get back on solid fiscal footing?

One option would be to cut back on service levels, for example tightening

Medicaid eligibility so that fewer people would qualify, or doling out less money to local school districts, or cutting funding for community mental health or child abuse investigators. Not very popular, but Medicaid, education and human services account for roughly \$8 out of every \$10 spent from general funds.

Another option — the "only sustainable solution," according to the center — requires modernizing the state's tax system. Or, in less politically discreet terms, raising state income tax rates or — most likely and — broadening the sales tax base to include certain services. Also a hard choice.

What Illinois can't afford, though, is to continue along its current path, spending money that's not really there, stiffing health care providers and pushing today's bills onto future generations. □

Charles N. Wheeler III is director of the Public Affairs Reporting program at the University of Illinois at Springfield.

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